United Nations S/PV.4945

# Security Council

Fifty-ninth year

*Provisional*

**4945**th meeting

Monday, 19 April 2004, 3 p.m.

New York

| | | |
|---|---|---|
| *President:* | Mr. Pleuger | (Germany) |
| *Members:* | Algeria | Mr. Baali |
| | Angola | Mr. Lucas |
| | Benin | Mr. Zinsou |
| | Brazil | Mr. Sardenberg |
| | Chile | Mr. Maquieira |
| | China | Mr. Zhang Yishan |
| | France | Mr. De La Sablière |
| | Pakistan | Mr. Akram |
| | Philippines | Mr. Baja |
| | Romania | Mr. Motoc |
| | Russian Federation | Mr. Gatilov |
| | Spain | Ms. Menéndez |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Thomson |
| | United States of America | Mr. Cunningham |

## Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 19 April 2004 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/2004/303)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-31472 (E)

*The meeting was called to order at 3.15 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation in the Middle East, including the Palestinian question**

**Letter dated 19 April 2004 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/2004/303)**

**The President**: I should like to inform the Council that I have received letters from the representatives of the following Member States: Bahrain, Cuba, Egypt, India, Indonesia, Ireland, Islamic Republic of Iran, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Norway, Saudi Arabia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, the representative of Israel took a seat at the Council table; the other aforementioned representatives to take the seats reserved for them at the side of the Council Chamber.*

**The President**: I should like to inform the Council that I have received a letter dated 19 April 2004 from the Permanent Observer of Palestine to the United Nations, to be issued as document S/2004/305, which reads as follows:

"I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council being held today, Monday, 19 April 2004, regarding the situation in the Middle East, including the Palestinian question."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the meeting in accordance with the Council's rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

*At the invitation of the President, the Permanent Observer of Palestine took a seat at the Council table.*

**The President**: I should like to inform the Council that I have received a letter dated 19 April 2004 from the Permanent Representative of Algeria to the United Nations, which reads as follows:

"In accordance with rule 39 of the provisional rules of procedure of the Security Council, I have the honour to request you to authorize His Excellency Mr. Yahya Mahmassani, Ambassador, Permanent Observer of the League of Arab States to the United Nations, to be allowed to address the Council in the course of the open debate on the situation in the Middle East, including the Palestinian question, to be held on 19 April 2004."

That letter will be published as a document of the Security Council under the symbol S/2004/306.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to His Excellency Mr. Yahya Mahmassani.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Mahmassani took the seat reserved for him at the side of the Council Chamber.*

**The President**: I should now like to inform the Council that I have received a letter dated 19 April 2004 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

"In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the Middle East, including the Palestinian question, under rule 39 of the provisional rules of procedure of the Security Council."

In accordance with past practice in this matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Paul Badji took the seat reserved for him at the side of the Council Chamber.*

**The President**: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 19 April 2004 from the Permanent Representative of Egypt, which will be issued as document S/2004/303. I should like to draw attention to a letter dated 19 April 2004 from the Permanent Observer of Palestine, which will be issued as document S/2004/304.

I shall now give the floor to the Permanent Observer of Palestine.

**Mr. Al-Kidwa** (Palestine) (*spoke in Arabic*): Allow me to begin by congratulating you, Mr. President, and your friendly country, Germany, on your assumption of the presidency of the Security Council for this month. I should also like to congratulate the Permanent Representative of France for the able manner in which he presided over the Council's work last month.

At this meeting, I shall read out my statement in English.

(*spoke in English*)

We return to the Security Council, less than one month since this body last met to address the crisis in the occupied Palestinian territory, because Israel, the occupying Power, continues its reign of terror against the Palestinian people. To be more precise, Israel has never ceased its campaign of death and destruction in the occupied Palestinian territory, including East Jerusalem, as the Israeli occupying forces have relentlessly, continuously and daily been committing war crimes, State terrorism and systematic human rights violations against the Palestinian people. As the majority of the international community watches in shock and disbelief, the occupying Power continues to carry out extrajudicial executions of Palestinian leaders and to kill, wound and maim defenceless Palestinian civilians — including women and children — in grave breach of international law, including international humanitarian law and human rights law.

Two days ago, on Saturday, 17 April, less than four weeks after the extrajudicial execution of Sheikh Ahmed Yassin in Gaza City, the Israeli occupying forces committed yet another extrajudicial execution when they killed Mr. Abdel Aziz Al-Rantisi, a political leader of Hamas. The occupying forces fired missiles at the vehicle in which he was riding, killing Mr. Al-Rantisi and two other Palestinian men who were with him. This was, in fact, the second time that the occupying forces had targeted Mr. Al-Rantisi for assassination; the first attempt was in June of 2003, when seven missiles were fired at his car on a crowded street in Gaza City. Although he survived that attack, two Palestinians — including a woman — were killed and 25 other people were wounded.

While it has become common practice for the occupying Power to launch such military attacks against targets in densely populated civilian areas in the occupied Palestinian territory, endangering the safety and lives of thousands of civilians, it is by no means a legitimate or justified practice. The deliberate, excessive, disproportionate and indiscriminate use of force — including extrajudicial executions — being carried out by Israel against the Palestinian civilian population constitutes a grave breach of international law and of Israel's obligations as an occupying Power, as enshrined in international humanitarian law, particularly the Fourth Geneva Convention.

This latest in a long series of war crimes committed by the occupying Power was carried out in fulfilment of the repeated threats of Israeli Prime Minister Sharon and of other Israeli Government and military officials to continue targeting Palestinian leaders for assassination, in flagrant violation of international law and in complete and total disregard for the international community's condemnation of such an illegal and barbaric policy and for its pleas and demands for the cessation of that policy. Indeed, following the attack on Saturday, Mr. Sharon and other high-ranking Israeli officials publicly boasted and congratulated themselves on the success of the operation and proceeded to declare more threats against Palestinian leaders.

It is without a doubt that the recent failure of the Security Council to condemn the extrajudicial

execution of Sheikh Yassin and to take urgent measures to address the deterioration of the situation — due to the veto cast by one of the Council's permanent members — has further emboldened the Israeli Government to continue carrying out such illegal actions with impunity. Without concern for reproach or punishment or for the consequences of its actions, Israel continues to behave as a State that is above the law. Unable to uphold its duties for the maintenance of international peace and security when it comes to the situation in the occupied Palestinian territory, the Security Council has allowed Israel to continue acting beyond the parameters of international law, permitting it to use the most oppressive measures and practices to impose more death and destruction and loss on the Palestinian people under its occupation.

All of the atrocities being committed by Israel, the occupying Power, have been committed against an unarmed and defenceless civilian population that, according to the provisions of international humanitarian law governing military occupation, should be considered protected persons. The occupying Power is obligated to ensure the safety and well-being of those persons. Failing that, those persons are entitled to, and should be accorded, international protection. Yet, time and again, the Security Council has failed to take the necessary measures to ensure the protection of the Palestinian civilian population in the occupied Palestinian territory, including East Jerusalem, leaving them at the mercy of the brute force and illegal policies and practices of the occupying Power.

Parallel to, and in conjunction with, its illegal actions against the Palestinian people, the Government of Israel has intensified its attempts to carry out unilateral actions intended to further entrench the illegitimate measures already taken by Israel on the ground in the occupied Palestinian territory, including East Jerusalem. The meeting last week of Prime Minister Sharon and United States President Bush and their exchange of letters and assurances took these attempts to impose a unilateral "disengagement" one step further. The content of those letters violates relevant provisions of international law, as reaffirmed in numerous Security Council resolutions, and violates the rights of the Palestinian people. It is an attempt to confer legitimacy on some of Israel's illegal settlements, to negate the rights of the Palestine refugees and to dilute international opposition to the catastrophic expansionist wall. The content is also a complete departure from the road map, its substance and the principle of achieving a peaceful settlement through negotiations between the two parties and without prejudgement or pre-emption of final status issues. As such, the content makes the work of the Quartet extremely difficult, if not impossible, to carry out.

Even with regard to Gaza, the proposal falls far short of any real withdrawal, keeping control of international borders, airspace and water in the hands of the occupier and maintaining the so-called "right" to military attacks against Gaza. This is an extremely negative and dangerous development, which the international community must confront. We should reaffirm the rule of international law, reaffirm the principle of the two-State solution based on the 1967 borders and reaffirm the right of all States and peoples to live in peace and security, free from attacks, terror and destruction. Indeed, it has often been reaffirmed in this very Council that there can be no military solution to this conflict and that there can be no alternative to adherence to international law and a negotiated, just and comprehensive political solution.

Before I conclude, I wish to say a word on fighting terror — the repeated pretext used by Israel to justify all its actions, particularly the extrajudicial executions, against the Palestinian people. We reiterate in this Chamber that this is not what the Israeli-Palestinian conflict is about. Terrorism and violence constitute one of the dynamics of this conflict. It is a dynamic that has taken on more prominence only in recent years, but it does not constitute the conflict itself. Any parallels drawn between Israel's actions against the Palestinian people and the war being waged against global terrorism are inappropriate and completely erroneous, and Israel's constant attempts to draw such parallels and to exploit the international fight against terrorism must be rejected.

What this conflict is about is the belligerent military occupation of another people and their land by a foreign Power for nearly four decades. It is about the unrelenting aggression and transgressions against the land and the people of Palestine by Israel, the occupying Power. It is about Israel's refusal to end that occupation, seeking all the while to acquire more land by force and to eliminate more of the indigenous population by wreaking widespread wanton death, destruction and misery in the attempt to fulfil its expansionist designs. And all the while, Israel has been

unconstrained in carrying out its unlawful and unjust policies and practices before the eyes of the international community.

The time is way overdue for the international community to take urgent measures to address this ongoing tragedy. The Security Council must take the lead in this regard. The United Nations has a permanent responsibility towards the question of Palestine until it is resolved in all its aspects. The Council must take bold and courageous actions to ensure compliance with its own resolutions and adherence to international law and to bring an end to the cycle of violence and bloodshed that has prevented the two peoples and the entire region from the realization of genuine peace, freedom and security for so many decades.

We are looking forward to seeing concrete action in the form of a resolution taken very soon by the Council.

**The President**: I now give the floor to the representative of Israel.

**Mr. Gillerman** (Israel): At the outset, I would like to congratulate you, Sir, on your assumption of the Presidency and express to you our appreciation for your fair and very wise stewardship of the Council.

Today, the Jewish people and the people of Israel commemorate Yom Hashoah, Holocaust Remembrance Day. I know that all delegates will join with me in commemorating the memory of the 6 million victims of the Holocaust, innocent Jews who suffered unspeakably at a time when there was no Jewish State to defend them.

It is with great regret that the Council has been compelled to convene again on this day, not to condemn the murder of innocent civilians by organizations such as Hamas but to denounce the demise of a key architect of those massacres. As we have said time and again, this pattern of activity does no good to the prestige and reputation of the Council.

Just hours before the targeted counter-terrorist operation against Mr. Rantisi, the organization he headed claimed responsibility, together with the Al-Aqsa Martyrs Brigade, for yet another suicide attack — this time at the Erez Crossing, where Palestinian workers enter Israel daily. The attack killed 20-year-old Kfir Ohayon of Eilat, a guard at the crossing, and injured several others. It was perpetrated by an individual who had been given a licence to work in Israel by us, and against a person whose primary task was to facilitate the entry of Palestinian workers to their place of employment and allow them to make a living. In recent days, there have also been repeated and indiscriminate Qassam rocket fire at civilian communities in Israel and continued attempts to perpetrate acts of terrorism. On any fair and balanced account, those acts of terror should be the focus of the Council's special and specific attention, not the acts of self-defence necessary to prevent them.

Were the current Palestinian leadership a genuine partner in peace, defensive actions such as the one Israel was recently compelled to undertake would not have been necessary. The Palestinian obligation to dismantle the terrorist infrastructure, arrest terrorists, confiscate illegal weapons and stop incitement is as obvious and fundamental a legal imperative as it is a moral one. Under the road map, Security Council resolutions, signed agreements and international law, the Palestinian Authority is required to arrest murderers like Rantisi — not give them protection and safe haven. That is what the international community demands in the global fight against terrorism.

If there is something extrajudicial here, it is the total refusal of the Palestinian leadership — for years — to act against terrorism, in violation of every judicial standard.

I need not repeat the litany of cold-blooded murder which Mr. Rantisi was responsible for and was intent on continuing. He was a radical terrorist leader that joyfully and publicly gloated and celebrated over the murder of innocent men, women and children whom he sent to be killed. He sought to destroy any peace initiative and called for the destruction of Israel by force of arms. He believed that violence was the only option. He developed alliances with terrorist groups operating around the world, supported by regimes in Syria and Iran, and was committed to fostering terrorism in Iraq and throughout the Western world. A paediatrician by training, this doctor led the campaign to mobilize women and children for use in homicide bombings. He turned his craft from the healing of children to the killing of children. He was indeed the doctor of death.

Rantisi was a trader in death, a doctor of death, and no one should be surprised that he paid the price for it. For those who criticize his targeting as

extrajudicial, let me say that we are sensitive to those concerns. Had it been possible to arrest Mr. Rantisi, while minimizing harm to civilian life, Israel would have done so, as is its usual practice. But in the absence of any cooperation from the Palestinian Authority and any viable means of arrest, Israel is sometimes left no choice but to target those who plan, orchestrate and execute the murder of our innocent civilians.

We are engaged in an armed conflict against terrorism of an unparalleled scale, magnitude and brutality. It is not good enough to affirm in theory Israel's right to defend itself in this conflict, but then in practice seek to deny us the right to specifically target those illegal combatants directly responsible, as well as their command and control structure. We do so in a manner that is both necessary and proportionate, and when no other realistic option of detention or prevention exists. In these circumstances, such actions are wholly consistent with international law and we have little doubt that nations similarly faced with such a horrific choice would act accordingly and, indeed, have done so — and are doing so — with the support or acquiescence of the international community.

The targeting of Mr. Rantisi was not merely a necessary defensive act to prevent ongoing and planned attacks against innocent civilians. It is part of the global struggle against terrorism that has been thrust upon all of us. It sends a clear message that those who deal in terrorism — those who have exported airplane hijackings, kidnappings and suicide bombings to the world — will have no immunity. The people who have brought bloodshed to the streets of Israel, New York, Bali, Manila and Madrid cannot expect to make their own terrorist hornets' nests a sanctuary.

In line with Security Council resolutions 1368 (2001), 1373 (2001), 1377 (2001) and others, this action makes clear that those who harbour or tolerate terrorists, let alone those who forge alliances with them, must be held accountable. The Palestinian leadership and other regimes in our region cannot brazenly violate international law by supporting terrorists and then seek to deny Israel the right to protect itself against them — a right guaranteed under that very same law.

The entire world knows that Hamas is a terrorist organization committed to the destruction of Israel and of the hopes of peace by the deliberate massacre of innocent civilians. The entire world, including the Arab world, knows that Hamas is the enemy of peace and stability in the region and that there is a clear obligation to dismantle that terrorist organization. Although politics and rhetoric may silence this, the defensive targeting of Mr. Rantisi is no doubt a relief for many innocent Palestinians whose life he endangered by the strategy of terrorism and the rejection of peace he so defiantly championed. It should be greeted with great relief by the Palestinians themselves that such a person is no longer among them, endangering not just us, but them too.

The text that some have proposed today is yet another example of misrepresentation and double standards. It focuses yet again on the response to terrorism rather than on the terrorism itself. It grossly distorts reality and it seeks to bully the Council to score political points. It is a document that any fair-minded Council should be ashamed to adopt and that any fair-minded delegation should be ashamed to sponsor or even circulate.

As I have repeatedly said, there cannot be peace and terror. There cannot be peace and Hamas. But as the struggle against terrorism continues and at considerable risk, Prime Minister Sharon has launched a bold and unprecedented initiative to bring new hope and opportunity to the peace process. The disengagement plan, when approved, will lead to the evacuation of settlements and military installations in the Gaza Strip and parts of the West Bank. This move is not required by the road map, but, as Mr. Sharon has declared, it is an opportunity to restart the road map process, to which Israel remains committed. Prime Minister Sharon's bold initiative deserves the support of the international community and of this Council, and we are grateful for the many expressions of support we have received. As the Secretary-General's Special Coordinator recently announced before the Council, the proposal is a step that should be welcomed by all.

In the absence of a peace partner, Israel has been compelled to propose that unprecedented initiative itself, but it hopes and plans to implement it in a coordinated fashion that will ensure stability and security for Israelis and Palestinians alike, provide a sound humanitarian infrastructure and rekindle the peace process.

The initiative is completely consistent with Security Council resolutions 242 (1967) and 338

(1973). It can facilitate a two-State solution in the context of the road map and, indeed, is also consistent with previous peace proposals and President Bush's vision. As Israel has declared, we remain committed to a negotiated solution to all permanent status issues that will guarantee peace, security, prosperity and stability for both peoples, as well as secure and defensible borders. As always, we recognize that no permanent peace agreement can be imposed; it must be agreed by negotiations between the parties. That is also set out very clearly in the statements issued in connection with the disengagement plan, for those who have taken the care to read them.

For those who have sponsored and tolerated terrorism and sought for decades to prejudge the outcome of negotiations by pushing one-sided resolutions through the United Nations, complaining of a so-called unilateralist approach is the height of hypocrisy that totally and, perhaps, deliberately misunderstands this historic and courageous initiative.

This is a moment of opportunity, a chance for the Palestinian side to prove finally that it is capable of a new and responsible leadership that fights terror and prefers the welfare of its people to the personal, corrupt wealth of its leaders. The heart of the initiative is the evacuation of settlements — something the Palestinian side has long called for. And yet, so far the Palestinian leadership and, as we have just heard, its representative here have acted consistently with their long tradition of never missing an opportunity to miss an opportunity.

As I have said before, the Palestinian leadership has a choice and the international community and this Council should encourage it finally to make the right one. It need not be on the wrong side in the war against terror. It can also choose a different path. It can prove to the world that it is ready to assume responsibilities, not just demand privileges. It can show that it is ready to establish a democratic society that will respect the rights of its people and the rights of its neighbours, and not another terrorist dictatorship in the heart of the Middle East.

Israel is ready, as always, to be a partner in peace with such a leadership.

**The President**: I will now give the floor to members of the Council.

In accordance with the understanding reached among Council members, I wish to remind all speakers of the Council and all other speakers to limit their statements to no more than three minutes. I have 40 speakers in all on my list, and I think a limit to the speaking time is necessary in order to enable the Council to carry out its work expeditiously. I would like to ask delegations with lengthy statements to kindly circulate their text in writing and to deliver a condensed version when speaking in the Chamber.

**Mr. Baali** (Algeria): Three weeks ago, when the Security Council failed to adopt a resolution that would have condemned the assassination of Sheikh Ahmed Yassin, and all terrorist acts against civilians, and would have called for the cessation of all acts of violence, including acts of terrorism, I warned the Council that its failure to act was going to send the wrong message to Israel, which would abusively take it as a license to kill. In fact, immediately after the draft resolution was vetoed, the representative of Israel, in addition to insulting the Council in this very Chamber, made it clear that Israel would continue to take out Palestinian leaders.

Now, even if we had been able, on 25 March, to adopt that resolution, I am convinced that Israel — which has consistently placed itself above international law and held our Council in contempt, as abundantly demonstrated a few minutes ago by the same representative — would still have proceeded with its policy of extrajudicial killings, as it has done with colonization, annexation, occupation and repression.

Again, Israel has struck and, again, it has killed. Its latest victim was Mr. Abdel Aziz Al-Rantisi, the leader of Hamas, struck by a missile along with two companions. In spite of the almost unanimous condemnation, Israel remains defiant, and its Prime Minister, after praising the army for Rantisi's assassination, vowed yesterday to strike terror organizations and their leaders.

Again, the Security Council finds itself confronted with yet another Israeli provocation and yet another challenge to its authority and credibility. How is it going to cope with this intractable situation, which further undermines the peace process? Is it going, this time, to assume its responsibilities, condemn in a clear and unequivocal fashion this killing and call for the respect of international law? Is it going to come, at last, to the conclusion that the civilian population in the Palestinian territory is in great danger and needs to be

protected by an international force to be urgently dispatched?

What I know for sure is that the Security Council, which is seen by many as the custodian of international law and the body everyone looks to in times of danger and need, has to make the right decision this time. That is, it must call upon Israel to cease its policy of targeted assassinations and to abide by international law. This time, the Security Council cannot escape its responsibilities. It must act, and act swiftly.

In the Palestinian territory, in Arab nations and in the Muslim world, emotions are high and distress and frustration are deep. If no action is taken and Israel again gets away with these horrendous crimes, the situation might very rapidly deteriorate and, ultimately, veer out of control.

In other terms, Israel cannot keep violating international law in total impunity. Israel must be restrained before it is too late, it must be stopped before the peace process is put to death.

It is not too late for this Council to reassert its authority, to put an end to this policy of escalation, provocation and defiance, and to reaffirm once and for all that a genuine, just and lasting peace can only be achieved through the implementation of the road map. I hope that the Security Council will, this time, live up to its responsibilities and to the expectations of those who, in spite of everything, have kept faith in it.

In this regard, a draft resolution will be introduced shortly, and I hope it will have a better fate than last month's ill-fated draft resolution.

**Mr. Zinsou** (Benin) (*spoke in French*): The critical situation prevailing in the Middle East and, in particular, on the Palestinian front has continued to deteriorate over the last few months.

During this crisis, my country has continually exhorted all parties to demonstrate the greatest possible restraint and to give a chance to the peaceful settlement plan, contained in the road map approved by the Security Council.

My delegation therefore does not understand the continuation of the practice of extrajudicial executions, carried out in flagrant violation of international law and international humanitarian law. The execution of Mr. Al-Rantisi took place less than two months after that of Sheik Yassin, which was condemned by the overwhelming majority of the international community. This execution is a new challenge to international legality. We believe that the continuation of the policy of extrajudicial executions targeting Palestinian leaders does serious damage to the efforts of the international community to restore peace, a peace for the living and not the peace of cemeteries. Such is the objective in the Middle East, and we need to remember that.

We renew here our urgent appeal to all the parties to return to dialogue to achieve our shared vision of two States living in peace, side by side, within stable and internationally recognized borders. We urgently demand that the Quartet make use of all of its influence with the parties to put an end to the cycle of violence in the Middle East and return to the commitments undertaken under the road map.

In this regard, we doubt the logic of the proposed course of action, a partial disengagement of the occupied territories. In our view, this disengagement would not be a positive step in the right direction, unless it is conducted in a way designed to strengthen the peace process. We want to see an end to provocations and we hope for the reign of international law.

**Mr. Lucas** (Angola): The Security Council is again holding an emergency session, for the second time in less than a month, to consider the critical situation in Palestine.

Again, we meet in circumstances of pain and sorrow, with blind terror and violence taking the upper hand and the attempts to move forward with a meaningful peace process between Israelis and Palestinians once again jeopardized by unilateral actions that might definitively compromise the prospects of peace between the two peoples.

My delegation deeply regrets the prevailing situation, in which any signal of hope is immediately destroyed by terror, by policies of collective punishment and by revenge, in a never-ending cycle of death and terror.

The Israelis and Palestinians are our common friends and we would like to see them enjoying the benefits of peace and conviviality. Unfortunately, all the efforts that have been deployed for years, both bilaterally and multilaterally, have remained in a deadlock. This is cause for great frustration and despair for the entire international community.

My delegation has stated time and time again its total opposition to the extrajudicial killings of Palestinians. We expressed our deep regret at the recent events in Gaza City. The killings of Sheik Hamad Yassin and Abdel Aziz Al-Rantisi will most likely add to the frustration among the Palestinians and encourage extremist elements to acts of terror.

It is absolutely necessary to break the cycle of violence. In our view, an investment in peace by both Palestinians and Israelis would surely be more rewarding than the actions we witness. That means abiding strictly by international law, admitting just demands of the international community that the parties work together by implementing the road map for a comprehensive peace in the Middle East.

We reiterate our conviction that terrorism and occupation are the factors that feed conflict. They close every window of opportunity for peace and should be addressed by the parties with realism and determination Once again we call on the Palestinians and Israelis to put an end to terror and to occupation. We also call on them to avoid any step that could escalate terrorism and violence and to abide by their obligations under international law.

The international community, for its part, must persevere in its efforts to bring the parties to the negotiating table. My delegation renews the appeal to the parties — Israelis and Palestinians — to take risks for peace and to take the first steps envisaged by the road map, not unilateral action but mutually agreed steps, and by doing so create the necessary mutual confidence that is conducive to meaningful peace negotiations.

**Mr. Sardenberg** (Brazil): The delegation of Brazil is of the view that the killing of Abdel Aziz Al-Rantisi, together with other Palestinians, by Israeli military forces acting under orders from their Government in the Gaza Strip last Saturday 17 April, should be condemned by the Security Council as being contrary to relevant international law. Such action seriously damages the prospects for peace in the Middle East. In furthering the deterioration it clearly undermines international efforts, including those of the Security Council. Absolute priority must be accorded to efforts to bring the parties together at the negotiating table.

The international community is fully aware that the escalation of violence can only jeopardize the peace process in the region. We call upon all sides to exercise maximum restraint at this sensitive stage. We again urge them to resume, as soon as possible, negotiations for a peaceful settlement based on the road map that was endorsed by the Security Council in resolution 1515 (2003).

**Ms. Menéndez** (Spain) (*spoke in Spanish*): We are concerned about the recent extrajudicial assassination of Mr. Al-Rantisi, following the murder of Mr. Yassin. In less than one month, that sort of action has taken place to do away with the latest leaders of Hamas. As the new Foreign Minister of Spain said yesterday, extrajudicial executions do not in any way contribute to creating a climate of peace-building, and they obstruct the implementation of the road map, which is the only way to establish peace between Israelis and Palestinians. Indiscriminate violence cannot promote coexistence but rather can only exacerbate the hatreds that prolong the conflict.

The fight against terrorism must take place in the framework of legality and the rule of law. Otherwise, the very security of Israel is jeopardized. The appeal for vengeance that we heard after the killing of Mr. Al-Rantisi foretells an escalation of terror and violence that can leave no one indifferent. My country condemns with utmost firmness all terrorist actions that take innocent lives, make the peace process difficult and damage the Palestinian cause itself. Therefore we want to appeal for restraint in the present circumstances.

We also wish to recall that the only solution to the conflict is based on the coexistence of two States in the framework of a global peace, which is set forth in the road map and supported by the Security Council in its resolution 1515 (2003). The road map establishes obligations for both parties. The Palestinian Authority, on the one hand, must endeavour to strengthen the security apparatus that makes it possible to struggle against terrorism effectively. The Israeli authorities, for their part, must avoid disproportionate actions, including extrajudicial executions, which are a grave violation of international law and of common law.

For all these reasons, we believe that the attainment of peace involves the road map and the work of the Quartet and that any solution regarding permanent status needs to be negotiated by the parties — all of this in the framework of the provisions of Council resolutions 242 (1967) and 338 (1973).

With regard to the announced unilateral withdrawal from Gaza, we believe that it must have the support of the international community for a peaceful and orderly transition.

**Mr. Gatilov** (Russian Federation) (*spoke in Russian*): The killing of the new leader of Hamas, Mr. Al-Rantisi, as a result of an Israeli missile attack has led to a drastic exacerbation of the situation in the occupied Palestinian territories. In Moscow serious concern is being expressed over possible consequences of this event and the rising tensions in the Middle East.

On numerous occasions Russia has declared its rejection of extrajudicial executions and targeted eliminations. We are not casting doubt on Israel's right to defend itself from terrorist attacks and to protect its civilian population. However, that right must be implemented within the framework of international law, in particular the Fourth Geneva Convention. Acts of force of this type cannot result in either a Palestinian-Israeli settlement or in any shift in the region as a whole.

Today, on instructions of the Minister for Foreign Affairs of Russia, his special representative on the Middle East settlement, Ambassador Kalugin, was sent to the region to help promote international and regional efforts to prevent further deterioration of the situation and to straighten out the situation in Palestinian-Israeli relations. During his upcoming contacts with the parties in the Quartet and the regional parties there will be discussion of specific modalities for linking the Israeli plan for unilateral disengagement from the Palestinians with the road map for a Middle East settlement.

Russia bases itself here on the need for consistent implementation of all principles and provisions agreed on in the road map, which, after approval by the Security Council in resolution 1515 (2003), received international legal status. We wish to emphasize that the modalities for a solution to such sensitive issues as the final status of the Palestinian territories, the borders, the fate of the refugees, the problems of Israeli settlements and East Jerusalem must be determined through agreement between the sides.

The legal basis for settlement of the Arab-Israeli conflict has been defined in resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), which provide for a regional settlement within the framework of negotiations and demand compliance with the principle of the inadmissibility of acquiring territory by force.

Russia intends to continue to work intensively on the restoration of the negotiating process, precisely on this universally recognized basis, which was established by the United Nations. The world Organization bears responsibility for the implementation of the road map. The key to success is in joint actions. Russia favours the speedy convening of the meeting of the Quartet at the ministerial level and with the Secretary-General, at which it would be possible to discuss issues linked to the Israeli proposals and the implementation of the road map.

**Mr. Akram** (Pakistan): The Government of Pakistan condemns this most recent act of extrajudicial execution by Israel in the occupied Palestinian territories. Despite international condemnation of the similar extrajudicial execution of Sheikh Yassin a few weeks ago, Israel has refused to heed the wishes of the international community that it stop acting in direct defiance of international law. These extrajudicial executions are clearly a violation of its obligations under such international humanitarian law, especially the Fourth Geneva Convention. No interpretation of the principle of self-defence can justify such deliberate and arbitrary executions. A policy of assassination and killing in an occupied territory as a matter of State policy cannot contribute to peace and security either for Israel or for the occupied Palestinian people. Peace and the rule of law cannot be established by those acting outside the law.

It is not necessary to repeat that these actions of Israel have greatly damaged the international endeavours to break the cycle of violence and to put the peace process back on track. The international community supports a two-State solution — a vision of Palestine and Israel living together side by side within secure boundaries. The vision can be achieved only through the implementation of Security Council resolutions 242 (1967), 338 (1973), 1397 (2001) and 1513 (2003), and the Quartet road map, which has been endorsed by the Security Council.

Let us not forget that the root cause of all the violence and killing in Palestine and the Middle East is the fact of foreign occupation by Israel. If an initiative for greater stability in the region has to be taken, it must address this root cause and end foreign occupation. Let us not forget the deep sense of

alienation and frustration that resounds in the whole Islamic world because of the unending violation of the fundamental rights of the Palestinian people and other Islamic peoples.

**Mr. Cunningham** (United States of America): We are at a moment when the possibility exists for advancing the road map to a two-State solution of the Middle East conflict, including through steps by the Government of Israel to withdraw from Gaza. This should be our focus, and actions by either party that move us away from this goal are not helpful.

On Saturday, 17 April, the terrorist organization Hamas claimed responsibility for a suicide attack that killed one Israeli border guard at the Erez Crossing. Another Israeli policeman was critically injured. A second suicide bombing attempt was foiled. These attacks on Erez, which has been an area where Israelis and Palestinians work together, were clearly designed to perpetuate the Palestinian-Israeli conflict and prevent any progress towards the achievement of the steps outlined in the road map, including the withdrawal of settlements. These attacks occurred before Israel killed the leader of Hamas. For our part, we have told the Israelis that they must consider carefully the consequences of their actions. We urge all parties to exercise maximum restraint.

We are committed to ensuring that Prime Minister Sharon's plan is consistent with the road map and the realization of the President's vision of two States, Israel and Palestine, living side by side in peace and security. An Israeli withdrawal from Gaza would be a significant step forward if it were done in a manner consistent with the road map and the President's two-State vision. Such a withdrawal would provide a rare opportunity for real progress. It is particularly noteworthy that this step is being proposed by Ariel Sharon, who is one of the principle architects of Israeli settlements policy of the 1970s. The fact that one of the strongest supporters of Israeli settlement policy is now proposing to remove settlements is an important and positive development and should be commended. This is an important precedent for future Israeli Governments.

Israelis and Palestinians still have important obligations under the road map. The Government of Israel is committed to taking additional steps on the West Bank, including progress towards a freeze on settlement activity, removing unauthorized settlement outposts and improving the humanitarian situation by easing restrictions on the movement of Palestinians not engaged in terrorist activities. Palestinians must stop armed activity and all acts of violence against Israelis anywhere and all official Palestinian institutions must end incitement against Israel. The Palestinian leadership must act decisively against terror and undertake comprehensive institutional reform, including genuine empowerment of the Prime Minister. My Government has no intention of prejudicing the outcome of permanent status negotiations. A lasting settlement can be reached only through direct negotiations and mutual agreement between the parties.

**Mr. Thomson** (United Kingdom): The United Kingdom aligns itself with the European Union statement that Ireland will deliver later.

So-called targeted killings of the kind we have just seen are unlawful and counterproductive. The United Kingdom condemns extrajudicial killings. We recognize Israel's right to defend itself and protect its citizens, but it must act in accordance with international law.

The United Kingdom has repeatedly condemned the terrorist attacks against Israeli citizens. We once again condemn another suicide bombing at the Erez Crossing. We share the European Union's condemnation this weekend at their meeting of Foreign Ministers, where they repeatedly condemned the terrorist attacks committed by Hamas, which have resulted in the deaths of hundreds of Israelis. Terrorists inflict huge suffering and loss and try to undermine the true Palestinian cause. The Palestinians must take immediate and effective action to stop the terrorism emanating from the occupied Palestinian territories in line with their obligations under the road map.

Like others, we urge both parties to exercise restraint and to stop this escalating cycle of violence. Disengagement by Israel from Gaza and parts of the West Bank gives the international community the opportunity to help the Palestinian Authority with the economic, political and security measures they take and that they need to take in order to get to the point where the concept of a viable Palestinian State becomes a real possibility.

We are not prejudging final status negotiations, nor is this disengagement plan pushing the road map to the side. As my Prime Minister said in Washington last Friday, instead, it is a way back to the road map. The

road map remains the right route to a just and lasting peace settlement. Our focus should be on getting this process back on track. The international community should work together to make Israeli withdrawal a success and to ensure that it is the first step toward the vision, as set out in this Council's resolution 1397 (2002), of two States living side by side within secure and recognized borders. A comprehensive settlement, agreed between the two sides, is the only way that either side will find peace and security.

**Mr. Baja** (Philippines): We thank you, Mr. President, for convening this meeting. What we have in this afternoon's meeting is a reprise of what we had three weeks ago. Therefore, it bears repeating what we stated in the Security Council's public meeting at that time: that the Philippine Government condemns any and all extrajudicial killings committed by any party in the Middle East conflict. Such actions are gross violations of human rights and contrary to international law. We hope that we do not have to meet yet again in the context of another scenario similar to today's.

We are deeply concerned that violence in the Middle East has continued, despite the declared aversion of the international community, including the Security Council, to such a policy. The Middle East will not see peace unless the pattern of attack and reprisal is stopped on both sides. We are gravely concerned that, unless strong political will is exercised on all sides to curtail the terrorism and the violence, the path of peace will not succeed. Like others, we call on all sides to exercise restraint and to refrain from acts of violence, which will further escalate the situation. We appeal to them to follow the path of peaceful negotiations to achieve the goal of two States living side by side in peace and security, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002).

There is a new equation in the litany of peace initiatives for the Middle East. At this juncture, we can only hope that the so-called disengagement plan does not kill the road map and the work of the Quartet. Notwithstanding its noble intentions — and although we appreciate its positive prospects — it suffers from a factory defect: it is not a product of negotiation between the parties on the ground, whose lives and future are at stake. We thus urge a restarting of the Middle East process established under the road map, which the Security Council endorsed in its resolution 1515 (2003).

**Mr. Zhang Yishan** (China) (*spoke in Chinese*): At the outset, I should like to thank you, Mr. President, for organizing today's public meeting. We are deeply shocked by another Israeli assassination by means of the targeted removal of a Hamas leader, Mr. Al-Rantisi, in the Gaza Strip. We are deeply concerned about the prospects of tension between Israel and Palestine, which may worsen as a result. China strongly condemns this violation of international law, and we call upon Israel to immediately cease such assassination operations.

China is always of the view that the Middle East issue is complex. The only way to peace in the Middle East lies in a comprehensive settlement, to be reached through negotiations on the basis of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003). Violence for violence will not help to resolve the issue; on the contrary, it will only lead to more violence and conflict. Under the current circumstances, the international community should intensify its efforts and promptly take practical, effective measures to bring Israel and Palestine back to the peace talks at an early date.

**Mr. Maquieira** (Chile) (*spoke in Spanish*): Last Saturday's extrajudicial execution of the Palestinian leader Mr. Abdel Aziz Al-Rantisi deserves our condemnation. As we have maintained in the Council, extrajudicial executions are reprehensible acts that not only violate international law but also hamper reconciliation between the parties and the peace process based on the road map. Our condemnation extends to all acts of violence or terrorism, most particularly to those that have affected innocent persons, be they Israelis or Palestinians.

Today, the central issue centres on the announcements made by the Government of Israel's Prime Minister with a view to proceeding with a plan of withdrawal from the settlements in the occupied Palestinian territories of the Gaza Strip and, possibly, from some in the West Bank. Its ultimate meaning is not sufficiently clear, let alone its precise connection with the road map — an instrument that both parties have pledged to respect.

In March's monthly report of the Secretary-General on the situation in the Middle East, which was brought to the Security Council's attention, it was

stated that a successful Israeli withdrawal from the Gaza Strip must include the following aspects: be part of the actions envisaged in the road map, be carried out in consultation and association with the Palestinian National Authority, be total and complete and be a first step towards full compliance with United Nations appeals to Israel to put an end to its occupation, in accordance with Security Council resolution 242 (1967), 338 (1973) and 1397 (2002). Consequently, we would want the Israeli withdrawal to be consistent with those parameters.

Chile's position on the Middle East conflict is based essentially on unrestricted attachment to the norms and principles of international law and to full implementation of United Nations resolutions. In that connection, resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003) are of particular importance. The latter resolution, which supported the road map, was co-sponsored by Chile.

In its capacity as a member of the Security Council, Chile has promoted actions in the Council aimed at strengthening unitary agreements among Council members in the face of the latest acts of violence in Israel as much as in Palestine. Such was the case with the unsuccessful effort during Chile's Council presidency to get a Council press statement condemning the Palestinian suicide bombing in Jerusalem and, more recently, the proposed amendments to the Council's draft resolution condemning the killing of Sheikh Ahmed Yassin, which was not adopted by this body. We view the immediate future with scepticism.

With regard to extrajudicial executions, who will decide where the limit will be established, and according to what criteria? How long and against whom will that use of violence be resorted to? The spiral of extrajudicial killings, terrorist attacks, new acts of reprisal with the disproportionate use of force and new acts of vengeance cannot lead to implementation of the peace plan. The members of the Quartet must make renewed efforts to keep the road map alive and to ensure that the unilateral withdrawal actions announced by Israel are within that framework. We hope that that will happen for the benefit of both peoples, Palestinian and Israeli.

**Mr. Motoc** (Romania): At the outset, I would like to state that Romania aligns itself with the statement to be made shortly by the Permanent Representative of Ireland on behalf of the European Union. Therefore, my remarks will be very brief.

My delegation expresses its deepest concern over the deterioration of the situation in the Middle East following the targeted killing of the Hamas leader Abdel Aziz Al-Rantisi. We believe that the Government of Israel must examine very carefully the consequences of that act, for such operations do not provide more security; rather, they fuel tension and hatred that in turn generate even more violence.

As stated on previous occasions, Romania recognizes the right of the State of Israel to self-defence and to protect its citizens against attacks perpetrated by terrorist organizations. But any measures taken by Israeli authorities in this respect must be in strict compliance with the relevant norms of international law. From that point of view, the extrajudicial killings are contrary to international law and are totally unacceptable.

In the present, complicated and volatile situation, both parties must do their utmost to refrain from acts that could cause violence to escalate and compromise any chance to revive the prospects for peace. Effectively fighting terrorism, dismantling its infrastructure and ending incitement to violence remain top priorities.

We are also extremely concerned by the gravity of the humanitarian situation in the Palestinian territories due to the confrontations and security restrictions. Israel must refrain from actions that embitter the daily life of the inhabitants of the Palestinian territories, increase their economic hardship or induce a sense of humiliation or despair.

A just, comprehensive and lasting peace can be achieved only through negotiations, as envisaged in the road map and in accordance with the provisions of the relevant resolutions of the Security Council. The proposed Israeli withdrawal from Gaza could be a step in that direction, provided that it takes place in the context of the road map and contributes to an effective implementation of the two-State solution, including through a coordinated transfer of responsibilities to the Palestinian Authority.

**Mr. De La Sablière** (France): My delegation associates itself with the statement to be made by the presidency of the European Union.

France condemns the attack perpetrated on Saturday, 17 April, against the head of Hamas, Abdel Aziz Rantisi, which caused his death. The practice of extrajudicial executions is in violation of the fundamental principles of the rule of law. Aside from their illegal nature, targeted assassinations, the use of disproportionate force against areas populated by civilians, the demolition of houses and farmland and the hindering of access to humanitarian aid all jeopardize the efforts made in recent months to obtain a ceasefire from Palestinian movements. Those practices can lead only to a radicalization of attitude among the Palestinian population and, further, among the peoples of the Near and Middle East and undermine prospects for resuming the political dialogue.

France recognizes Israel's inalienable right to security and its right to defend itself against terrorist attacks, which absolutely must be condemned. France unconditionally condemns the terrorist attacks committed against Israeli civilians by armed Palestinian groups, in particular by the Hamas brigades. However, the fight against terrorism absolutely must be conducted in strict respect of the law.

The security of Israel and its citizens requires peace. Violence cannot be a solution. The President of the French Republic recalled in Algiers on 15 April,

> "Only a negotiated agreement based on the principles of international law, opening the way for the creation of a viable Palestinian State, can enable the Israeli and Palestinian peoples to live side by side in peace and security. Nothing lasting can be accomplished without negotiation between the parties. From the point of view of France, nothing can pre-empt the results of the requisite negotiations."

As the Minister for Foreign Affairs restated publicly yesterday, Israel and the Palestinian Authority must return to the negotiating table. Unilateralism is not a solution. France reaffirms its conviction that only a just and negotiated settlement based on the principles enshrined in Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), leading to the creation side by side with Israel of an independent, viable, peaceful and sovereign Palestinian State on the basis of the borders of 1967, will provide Israel with the security to which all Israelis have the right. In addition, in order for that peace to be lasting, it must be comprehensive in nature and include all the parties to the conflict, namely Syria and Lebanon as well.

In that spirit, the withdrawal from Gaza announced by the Israeli Prime Minister in Washington is certainly an element that can be positive. Indeed, withdrawal from the Palestinian territories is what the international community has called for for years. But it is necessary to work out the modalities of its implementation through concerted action. As the Council of Europe and the Secretary-General of the United Nations have recalled, we hope that the withdrawal truly constitutes a step towards the realization of the Quartet's road map, endorsed by Security Council resolution 1515 (2003), and that it is part of the broader context of the creation of a viable Palestinian State. All efforts must work towards implementation of the road map, which is the peace plan that has obtained the consensus of the international community. The Minister for Foreign Affairs stated yesterday that the withdrawal from Gaza must not be considered as something that resolves everything. Of course, France is ready, within the framework I have just described, to help make that withdrawal a success.

France is convinced that the international community has the duty to act collectively, in particular through the Quartet, to contribute to achieving a settlement that is just and acceptable to the two parties. The Security Council, which has enshrined the fundamental principles for a peaceful settlement and endorsed the road map, also bears a particular responsibility. It must not remain silent. France welcomes the efforts for peace made by the countries of the region, in particular Egypt and Jordan. It expects the upcoming Arab summit next month to make a substantive contribution to relaunching the peace efforts.

The stakes are all the higher as the Israeli-Palestinian conflict must be settled in order for the Middle East to recover its stability and undertake the path of reforms and modernization.

**The President**: I shall now make a statement in my capacity as representative of Germany.

First, I would like to associate myself with the statement that will be made by Ambassador Ryan of Ireland, on behalf of the European Union, at a later stage of the meeting.

Germany is very concerned about the current situation and about the possibility of a further, new spiral of violence that might take the lives of many people on both sides. We urge both sides to break the cycle of terror and violence. There is a real danger that the situation could dramatically escalate at a moment when there is new momentum in the political process and a necessity for both sides to talk to one another as soon as possible. A stable, lasting and just peace can be reached only at the negotiating table. Germany remains committed to a negotiated two-State solution resulting in a Palestinian State existing side by side in peace with Israel, living within recognized and secure borders. We therefore call on both sides to resume negotiations on the peace process without further delay.

While recognizing Israel's legitimate right to self-defence in the face of terrorist attacks against its citizens, Germany, as well as the European Union, have never accepted extrajudicial killings, which are contrary to international law. Time and again, Germany and the European Union have urged the Government of Israel to put a halt to the practice of extrajudicial killings. The continuation of those practices endangers the successful implementation of any disengagement plan in Gaza or elsewhere. At the same time, we urge the Palestinians to resume talks on a ceasefire embracing all parties and groups. Furthermore, we expect the Palestinian Authority to demonstrate its determination in the fight against extremist violence and to confront individuals and groups conducting and planning terrorist attacks.

We welcome any Israeli withdrawal from settlements as long as it takes place in the context of the implementation of the road map. Only a disengagement from Gaza and other areas in the West Bank that is coordinated between the two conflict parties will guarantee a proper handling of the whole issue and avoid chaos and a dangerous power vacuum.

Only a negotiated settlement on Gaza will receive the necessary international support for the maintenance of security and rehabilitation and reconstruction. In addition, it is worth noting that final status issues in general are a matter for negotiation and agreement between the parties themselves and must not be prejudged.

I now resume my functions as President of the Security Council.

I want to announce that, as another measure to optimize the use of our time in order to allow as many delegations as possible to take the floor, I will not invite speakers individually to take seats at the table or to resume their seats at the side of the Chamber.

I now call on the representative of Egypt.

**Mr. Aboul Gheit** (Egypt) (*spoke in Arabic*): Egypt condemns and deeply deplores extrajudicial assassinations of Palestinians by the Israeli army, in contravention of all humanitarian considerations and the norms of international humanitarian law, the latest of which was the assassination of Abdel Aziz Al-Rantisi.

With such illegal acts, Israel's Government does not help or contribute to the desired progress in the efforts to achieve a political settlement of the Israeli-Palestinian dispute. With such irresponsible acts, Israel deepens rejection and distrust of its policies and prompts further confrontation, violence and counter-violence, which jeopardize all efforts to achieve any just settlement of the conflict.

The international community has worked for years to reach an agreed basis for the Israeli-Palestinian settlement. By now, everybody understands that each time there is a possibility of a breakthrough in the situation or movement towards the potential implementation of some of the elements necessary to launch the settlement process, Israel takes measures to abort the possibility and any potential for movement. In that context, Israel undertakes extrajudicial killings or attempts to change the terms of reference for the settlement.

The elements of a political settlement are well known to all. Their objectives are agreed among all the international parties and are designed to achieve a just and comprehensive settlement of the dispute. The demand for a full Israeli withdrawal to the borders of 4 June 1967 is the basic and primary element of the settlement. Achieving a just and practical settlement of the problem of Palestinian refugees is another central issue that must be addressed in negotiations among the two parties and in accordance with the resolutions and vision of international legality.

The road map is the internationally agreed machinery and, through its various phases, the means towards a settlement. It must be implemented without dictates, selectivity, deviation in any form or

undermining of its principles in a manner not consistent with those principles or in contradiction of the elements of final status negotiations. Not only are its phases mandatory in their implementation, but also negotiations must be undertaken by the parties on all their aspects in a way that would secure that implementation under the sponsorship of all parties directly concerned.

Any Israeli withdrawal from the Palestinian territories must be coordinated with the Palestinians and followed up by other measures in order to implement the concept of two neighbouring States living side by side in peace and security and within guaranteed borders. A viable Palestine must be situated on the Palestinian territory occupied since June 1967, on the basis of the terms of reference, including resolutions 242 (1967), 1397 (2002) and 1515 (2003) and other United Nations decisions, and of the principle of land for peace and other agreements reached earlier by the two parties to the conflict.

The steps to implement the road map require the renunciation of violence and counter-violence and, inevitably and ineluctably, an end to the blockade and to the suffering of the Palestinian people. They require the renunciation of unilateral measures, including separation walls designed to usurp the Palestinian territories and to colonize them through settlements established at their very heart. Egypt rejects such designs and calls on the international community to defy them.

Finally, we call on the Security Council today to reject and condemn all extrajudicial killings and assassinations. We call on the Council once again to reaffirm the agreed terms of reference by pursuing its ongoing efforts, to which Egypt has effectively contributed, to secure for the peoples of Palestine, Israel and the Middle East in general the right to live in peace, security and cooperation, free from domination, coercion and the acquisition of the territory of others by force.

**The President**: I now give the floor to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States.

**Mr. Mahmassani** (*spoke in Arabic*): I should like to congratulate you, Sir, on your assumption of the presidency of the Security Council and to express my appreciation of your wise and outstanding guidance of the Council's work.

I should also like to thank your predecessor, the Ambassador of France, for his leadership as President of the Council.

Israel is pursuing with impunity its policy of killing and assassinating Palestinians, most recently through the execution by the occupying forces of the leader of Hamas on 17 April. That represents yet another act of State terrorism carried out by Israel. We firmly condemn that heinous Israeli crime and believe that the Israeli authorities must be held legally and politically accountable.

Israel is pursuing its policy of targeting Palestinian leaders and of carrying out extrajudicial executions. It is also continuing to build a separation wall, including in East Jerusalem, a policy of fait accompli that is threatening peace and security, undermining the peace process, and leading us towards a very dangerous crisis with extremely serious consequences for the entire Middle East.

At the heart of the Arab-Israeli conflict is Israel's ongoing occupation of Arab and Palestinian territories. Its attempts to distract and convince us that the conflict persists solely because of its efforts to combat terrorism are naïve and self-evident. The occupation, I reiterate, is at the heart of the Arab-Israeli problem.

The use of force and the policy of fait accompli, a policy carried out by the present Israeli Government, are clearly, today, getting nowhere. They only worsen the situation in the region. These policies are leading to further damage, killings and deaths. The Security Council today must force Israel to cease its settlements and its policy of extrajudicial executions. Israel must return to the negotiating table. That, and that alone, will allow us to bring lasting peace and security to all countries of the region, a peace that is in accordance with the relevant international resolutions, as well as with the Madrid agreements and the principle of land for peace.

We stress here that we believe in the Arab Peace Initiative consecrated during the Beirut summit, which was an attempt to put an end to the occupation through the withdrawal of Israel from all occupied Arab Palestinian territories to the borders of 1967. This requires a just solution to the problem of Palestinian refugees in accordance with General Assembly resolution 194 (III) and the establishment of a Palestinian State in the Palestinian territories occupied

since 4 June 1967 in the West Bank and Gaza, with Jerusalem as its capital.

**The President**: I now give the floor to Mr. Paul Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

**Mr. Badji** (*spoke in French*): I would like, first of all, Sir, to warmly congratulate you on your assumption of the presidency of the Council for this month of April 2004. I am convinced that under your effective leadership, the Council will be successful in its deliberations. I take this opportunity to congratulate your predecessor, Ambassador Jean-Marc de La Sablière, the Permanent Representative of France to the United Nations, for the exemplary way in which he presided over the Council's work in March. I am grateful to you, Mr. President, and to the members of the Council for the opportunity you have given me to address the Council, in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, on the occasion of this crucial debate on the situation in the Middle East, including the question of Palestine, and, in particular, on the targeted assassination of the leader of Hamas, Mr. Abdel Aziz Al-Rantisi.

We are here before the Council once again, today, to discuss what has become a systematic policy of extrajudicial executions practised by the Israeli Government. Less than a month ago, we came before this Council to condemn the assassination of the spiritual leader of Hamas, Sheikh Ahmed Yassin, by the Israeli authorities. Targeted assassinations of Palestinians, be they leaders or members of Palestinian organizations, have been condemned on many occasions, each time by the international community. The Committee on the Exercise of the Inalienable Rights of the Palestinian People has firmly condemned all extrajudicial executions and it is with the same energy that we condemn this most recent assassination, of which Mr. Abdel Aziz Al-Rantisi was the victim, along with two of his bodyguards.

The Israeli Government, in complete disregard of international opinion, is continuing its vicious policy. As all acts of this type in the past, this assassination is a grotesque violation of international law and obviously does not correspond to the aspirations of the Palestinians or of the Israelis.

Faced with the deterioration of the climate of trust between the two parties, Israel has once again poisoned an already volatile situation by assassinating the leader of Hamas. Following the example of the indignant international community, many voices have already spoken up to forcefully condemn this irresponsible action, which is contrary to international law and which will further revive feelings of frustration and anger among the Palestinians.

In a manner consistent with its guidelines, and faced with the exacerbation of the situation, the Committee on the Exercise of the Inalienable Rights of the Palestinian People condemns the extrajudicial executions and the fierce assaults on innocent Palestinian populations. These acts not only poison the political climate in the region, but also make the prospect of a just and sustainable solution to the Palestinian problem even more distant. The Committee supports the appeal by many world leaders to the consciences of all men and women to refuse to assist with indifference in the destruction of the Palestinian people. The Committee once again demands of the Israeli Government an immediate end to the untold daily suffering of the Palestinian people and that the Palestinians be able to recover their land through a lifting of the curfews and the dismantling of the wall of separation. The Committee also demands an immediate end to the siege imposed on the Palestinian Authority and its Chairman, Yasser Arafat.

The Committee, lastly, appeals to the Security Council in its wisdom, to express, as has the international community, an unequivocal condemnation of the assassinations that have once again plunged Palestine and the Middle East into mourning and that it prompt Israel to renounce its policy of denying the inalienable rights of the Palestinian people. While urging the two parties to refrain from any action that could aggravate an already deleterious situation, the Committee on the Exercise of the Inalienable Rights of the Palestinian People invites the Quartet to apply all of its influence in order to hasten the long-awaited implementation of the road map, the only viable option for ensuring the security of both parties and a sustainable peace in a Middle East that is stable and reconciled with itself.

**The President**: I now give the floor to the representative of the Syrian Arab Republic.

**Mr. Mekdad** (Syrian Arab Republic) (*spoke in Arabic*): Allow me to first express to you, Sir, our appreciation for convening this meeting to discuss the

new crime perpetrated by Israel in assassinating Mr. Abdel Aziz Al-Rantisi and his companions.

The policy of assassinations that has become a major method of the Israelis is disgusting. It shows the Israeli leaders' real face to those who have yet to discover it. Those leaders have made systematic terror a policy, in a continuous manner, since the 1940s, while defying international legitimacy and usurping the inalienable rights of the Palestinian people.

The Government of the Syrian Arab Republic condemned the crime of assassinating Mr. Al-Rantisi. It stressed the need to condemn the policy of terror practised by Israel against the Palestinian people in its occupied territory. Syria asserts that the killing and destruction carried out by Israel in the occupied Palestinian territories is an expression of its contempt for international legitimacy and Security Council and General Assembly resolutions. Such acts expose aggressive Israeli settler policies that have hampered the peace process and fomented conflict in the region.

When the Security Council met a month ago and all speakers, including some of Israel's friends, condemned extrajudicial killings, including the assassination of Sheikh Ahmed Yassin, some believed that the Israeli Government would heed the call and perhaps hesitate prior to committing another crime. However, the assassination that Israeli has just carried out demonstrates to us once again that the Israeli leaders do not heed international humanitarian law, particularly the Fourth Geneva Convention, nor do they respect the will of the international community. Furthermore, it proves that Israel continues to carry out extrajudicial killings and daily massacres of the Palestinian people and other crimes against them and their inalienable rights.

Israel has also shown yet again that it does not hesitate to use the senseless force of terrorism in order to realize its goals. It lies when it says that it kills women, children and other innocent Palestinians and their leadership to fight terrorism. Israel is the party that has brought terror to the region. Israel is the party that pursues terror in full view of the world, whose conscience has yet to be moved, for the sole purpose of distracting attention that should have otherwise been focused on its continued occupation of Arab territories for decades, its annexation of Arab territories, its building of settlements, its destruction of thousands of homes and its construction of the racist separation wall.

Israel's promoting its actions as an exercise of the right to self-defence is nothing more than the promotion of a policy of killing, destruction, occupation and expansion and is a violation of international law.

Israel's recent attempts, as evidenced by the dismissal of the Palestinian people's right to return to their homeland and by the annexation of illegal settlements in the West Bank, represent a grave violation of the Security Council's resolutions regarding the Arab-Israeli conflict and the Palestinian question. These efforts will have grave repercussions on the region and international peace and security.

The time has come for the Security Council to adopt decisive resolutions that will put an end to Israeli war crimes, including Israel's defiance of international humanitarian law, international legitimacy and other relevant United Nations resolutions. Is not the Council duty-bound to say enough is enough, and to stop the killing and destruction, after Israel has killed more than 3,000 children, women and elderly Palestinian civilians? Is not the Council duty-bound to enforce its resolutions, which have become an international term of reference for the Middle East peace process, particularly resolutions 242 (1967) and 338 (1973)? Israel, which is indebted to the United Nations for its establishment, does not respect the United Nations or its resolutions, while the Arab States believe in the primary role this Organization should play in realizing a just and comprehensive peace in the region.

In conclusion, I wish to recall that Syria takes the realization of a just and comprehensive peace in the region as a general policy matter. We believe that a just and comprehensive peace cannot be realized without respect for the Palestinian people's right of return and of self-determination in their territories, through the implementation of Security Council resolutions, the principle of land for peace and the Arab initiative adopted by the Beirut Summit in 2001, among other initiatives.

**Mr. Ryan** (Ireland): I have the honour to speak on behalf of the European Union (EU). The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, the Stabilization and Association Process countries Croatia, the former Yugoslav Republic of Macedonia and Serbia and Montenegro,

and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, declare that they align themselves with this statement.

The EU has expressed its deep concern at the ongoing and seemingly endless cycle of retaliatory violence involving Palestinian groups and the Israeli Defence Forces. The EU condemns the extrajudicial killing of Hamas leader Abdel Aziz Al-Rantisi by Israeli forces and the suicide bombing at the Erez Crossing.

The EU has repeatedly condemned the terrorist atrocities committed by Hamas, which have resulted in the deaths of hundreds of Israelis. The EU recognizes Israel's right to protect its citizens against terrorist attacks. The EU calls for an immediate end to such violence. The EU also again reminds the Israeli Government that extrajudicial killings are contrary to international law. The EU has pointed to the futility of the current violence either as a means of freeing Palestinians from occupation or bringing long-term peace and security to Israelis. The EU recalls its firmly held position that a negotiated settlement is the only means for achieving a just and lasting peace that will satisfy the legitimate concerns of both Israelis and Palestinians.

The EU reaffirms its commitment to a negotiated two-State solution agreed between the parties that would result in a viable, contiguous, sovereign and independent Palestinian State existing side by side in peace with an Israel living within recognized and secure borders. The Union reaffirms its belief that the road map represents the only route to achieving such an outcome. The Union is determined to pursue vigorously the course set out in the road map, and calls on both sides to fulfil their obligations under the road map.

The EU recalls its established position, restated by the European Council of 25-26 March, that the Union will not recognize any change to the pre-1967 borders other than those arrived at by agreement between the parties. The Union emphasizes that no declared views on the possible shape of a final settlement can pre-empt the negotiation of that settlement.

The EU also notes that the refugee question and the manner in which the right of return may be realized is also a final status issue and that the road map states that a final and comprehensive permanent status agreement that ends the Israeli-Palestinian conflict must include an agreed, just, fair and realistic solution to this question.

In this context, the Union notes President Bush's reaffirmation of the United States commitment to the road map and to a negotiated settlement.

The EU emphasizes the principle, shared by President Bush, that final status issues are a matter for negotiation and agreement between the parties themselves and must not be prejudged.

The EU notes President Bush's agreement that secure and recognized borders should emerge from negotiations between the parties, in accordance with Security Council resolutions 242 (1967) and 338 (1973). These and other relevant Security Council resolutions must form the basis for a just and lasting settlement of the conflict.

The EU welcomes the prospect of Israel's withdrawal from the Gaza Strip. The European Council has stated that such a withdrawal could represent a significant step towards the implementation of the road map, provided that it is carried out in accordance with certain conditions. This is an opportunity that the international community, led by the Quartet, should seize.

The proposed withdrawal should be properly orchestrated with the international community, so as to ensure that an orderly situation in Gaza results, which will permit the maintenance of security as well as rehabilitation and reconstruction. The Union urges all parties to undertake urgently preparations towards this end.

On that basis, the EU reiterates its readiness to support the Palestinian Authority in taking responsibility for law and order as well as to continue the Union's existing aid to the Palestinian Authority and to examine possible future needs that may arise in the context of a new situation in Gaza. The Union stresses the need to avoid a political vacuum — and the dangers that that would involve — in the interim period between now and the beginning of any withdrawal. It recalls that there are a number of measures that need to be adopted in the period immediately ahead in the political, security and humanitarian spheres in order to prevent further deterioration and to resume progress.

The EU urges an end to violence and terrorism as well as the resumption of a ceasefire embracing all

parties and groups. It calls on both sides to resume negotiations on the peace process without further delay. The EU recalls that a just, lasting and comprehensive peace must meet the legitimate aspirations of both the Israeli and the Palestinian people and must include Lebanon and Syria. The EU also calls on all States in the region to make every effort to promote peace and to combat terrorism.

The EU looks forward to an early meeting of the Quartet at the principals level. The Quartet should play an active role in pursuing the goal of a comprehensive regional peace and should encourage the parties to move ahead vigorously on the basis of the principles that I have outlined.

**The President**: I now give the floor to the representative of Yemen.

**Mr. Alsaidi** (Yemen) (*spoke in Arabic*): At the outset, I should like to thank you, Mr. President, for having responded so swiftly to our request for the convening of this meeting, which demonstrates your awareness of the seriousness of the situation in the occupied Palestinian territories. I should also like to express my great appreciation to your predecessor, the Permanent Representative of France, for the efforts he made during his presidency and for the skill with which he guided our work.

The Council has met twice in less than a month to consider a new act of aggression perpetrated by Israel against the Palestinian people and its leaders. That clearly shows the gravity of the policy of aggression conducted by Israel. The leaders of the Likud Party are now heavily involved in undermining the opportunity for peace and in attempting to impose the occupier's will on the Palestinian people at a time when the world's gaze is fixed on Iraq.

Mr. Abdel Aziz Al-Rantisi was therefore assassinated within the framework of the extrajudicial executions being carried out by Israel at a time when appeals were being made to Palestinian resistance factions to show restraint and not to play into the hands of Israeli politicians by responding to the death of Sheikh Yassin. We had wanted to breathe new life into the road map.

We are not saying anything new here by reiterating and emphasizing that the Israeli practices perpetrated in the occupied Palestinian territories — inter alia, those perpetrated in East Jerusalem — are illegal. A number of Member States of the Organization have ceaselessly condemned those practices, and the Secretary-General himself made an eloquent statement in that regard. Therefore, there is no need to reiterate here what has already been said.

In fact, the policy of assassination, bloody executions and extrajudicial killings carried out in a frenzied manner by the Government of Tel Aviv dovetails with its organized campaign designed to promote its withdrawal from Gaza. Furthermore, it dovetails with a strengthening of its presence in the occupied West Bank on the basis of a unilateral decision that is part of a strategic plan aimed at exerting its power over yet more Palestinian territory, at shattering the Palestinian entity and at ensuring Israel's unbroken, real control over Palestinian territories and their inhabitants.

Israel must be compelled to respect and implement its obligations under the Fourth Geneva Convention. We also wish to emphasize the importance of commitment by all parties to comply with the road map without adopting unilateral positions that could endanger the peace process and lead to further instability in the region.

It is clear that the Security Council, in order to put an end to the series of extrajudicial executions and killings conducted by Israel in the occupied Palestinian territories, must seriously consider the possibility of allowing the International Criminal Court to play a role here. The Council must therefore take a firm stand, as it should have done, but was unable to do, on the occasion of Sheikh Yassin's killing. That prompted the Likud Party's leaders, who flout and ignore the will of the international community to engage in further arrogant acts and to flout laws and customs.

The Republic of Yemen stresses that it is in full solidarity with the Palestinian people in their continuing fight to exercise the rights of which they have been deprived and to re-establish their right to self-determination. The Republic of Yemen also hopes that this time, the Security Council will adopt a resolution designed to preserve the sacred nature of international treaties and to enforce the relevant resolutions of the Council, which will reaffirm its credibility.

**The President**: I now give the floor to the representative of Morocco.

**Mr. Bennouna** (Morocco) (*spoke in French*): Permit me at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. As you know, the Kingdom of Morocco is convinced that, thanks to your wisdom and experience, the Council's deliberations will be crowned with success in the interests of international peace and security. I wish to take this opportunity to express the Moroccan delegation's gratitude to your predecessor, the Permanent Representative of France, for the remarkable way in which he presided over the Council's work last month.

Unfortunately, the Security Council is meeting once again to debate the grave situation prevailing in the occupied Palestinian territory with the continuation of extrajudicial executions targeting symbolic figures of the Palestinian resistance. Less than a month after the assassination of Sheikh Yassin, the Israeli occupation forces have just perpetrated a cowardly act of aggression by assassinating Mr. Abdel Aziz Al-Rantisi and two of his companions. The Kingdom of Morocco formally condemns those assassinations and forcefully denounces this type of act, which is banned by all divine religions and by all international conventions.

The international community cannot fail to unequivocally condemn this new assassination, which was committed in violation of international law and which could seriously jeopardize the prospects of a negotiated peace. The policy followed by the Israeli Government could further aggravate the situation and cause a new cycle of violence, leading the region into conditions that are dangerous to international peace and security.

Morocco urges the international community to fully shoulder all its responsibilities following this dangerous escalation and to make every effort to put an end to this downward spiral. It is incumbent upon the Security Council, which has the primary responsibility for the maintenance of international peace and security, to take a clear stance by condemning the Israeli policy of occupying a territory, implanting it with settlements and then suppressing all those who speak out against such actions and against the daily humiliations of which the Palestinians are victim.

The Kingdom of Morocco is convinced that strengthening peace by resuming negotiations remains the only way to achieve a just and comprehensive settlement in the Middle East, on the basis of the relevant resolutions of the Security Council, in particular resolutions 242 (1967), 338 (1973) and 1397 (2002), as well as resolution 1515 (2003), in which the Council endorsed the road map.

In conclusion, we remain committed to the Arab peace initiative adopted at the Beirut summit, which made the principle of land for peace the one and only foundation for the normalization of the situation among all countries of the region.

**The President**: I now give the floor to the representative of the United Arab Emirates.

**Mr. Al-Shamsi** (United Arab Emirates) (*spoke in Arabic*): It is my honour on behalf of the delegation of the United Arab Emirates to congratulate you, Sir, on presiding over the Security Council for the current month. I wish you every success. We also take this opportunity to express our thanks and appreciation to your predecessor, the Permanent Representative of France, for the good manner in which he conducted the deliberations of the Council last month.

For the second time in less than a month, the Security Council is holding an emergency meeting to discuss a new episode in the ongoing series of heinous crimes perpetrated by the Israeli occupying Government against the leaders of the Palestinian people. The Israeli Government scorns all its legal, moral and political commitments, in particular those contained in the instruments of international law. The Israeli occupation forces' assassination of the leader of the Islamic resistance movement in the Gaza Strip, Mr. Abdel Aziz Al-Rantisi, 26 days after the assassination of the spiritual leader of Hamas, the late Sheikh Ahmed Yassin, reflects not only the policy of intransigence, arrogance and State terror pursued by the Israeli Government against the Palestinian people but also the dangerous approach and the irresponsible acts Israel commits in the region with the aim of obstructing efforts for peace, fomenting sentiments of anger, revenge and injustice, exacerbating the cycle of violence and allowing a logic of arrogance to prevail over the logic of dialogue, peace and law.

The United Arab Emirates, which strongly condemns Israel's assassination of Mr. Al-Rantisi and its threat to assassinate additional figures of the Palestinian leadership, considers this Israeli violation of the principles and provisions of international law to be a war crime and an act of State terror. It could have

been prevented had the Security Council shouldered its responsibility weeks ago and adopted a resolution condemning Israel's assassination of Sheikh Ahmed Yassin and calling on Israel to put an end to its policies of aggression and extrajudicial killings against the Palestinian people. The Council's failure to take a decisive stance against the practices of the Israeli Government sent the wrong message to the Sharon Government, thus encouraging it to commit further crimes against the Palestinian people and its leaders.

We once again renew our appeal to all members of the international community, in particular the Security Council, to intervene urgently and adopt decisive, binding measures that provide the necessary protection to the Palestinian people and their leadership and which lead the occupying Government seriously to comply with Council resolutions without delay, as required for a just and comprehensive settlement as contained in the Arab peace initiative and the road map, which is based on the resolutions of international law. Further, such measures by the Council should oblige Israel to dismantle the settlements and fully withdraw from the Palestinian territories occupied since 1967, enable the establishment of a Palestinian State, with Jerusalem as its capital, and recognize the right of return of Palestinian refugees.

In conclusion, we call upon the Security Council not to be fooled by the Israeli Government's distortions used to justify its practices under the claim of self-defence and the fight against terrorism. We stress that the Palestinian struggle, as represented by the positions of Mr. Al-Rantisi and other members of the Palestinian leadership, is a legitimate right, granted under international law to oppressed people so that they can liberate their land, attain freedom and independence and practice their legitimate right to self-determination.

**The President**: I now give the floor to the representative of India.

**Mr. Nambiar** (India): I thank you, Mr. President, for scheduling this open debate of the Security Council on the situation in the Middle East at such short notice.

The targeted killing of Hamas leader Abdel Aziz Al-Rantisi is unjustified and unacceptable and cannot be condoned under any circumstances. Such action, following closely on the killing of the Hamas spiritual leader, Sheikh Ahmed Yassin, can lead only to the further destabilization of the already fragile situation in the region and an escalation of the cycle of violence and counter-violence.

As is known to all, India has consistently opposed all acts of terrorism, including cross-border terrorism. There can be no justification for terrorism in any form or from any source.

We believe that the need of the hour in West Asia is moderation and restraint so as to enable peace negotiations to restart at the earliest. The violence must be halted, and Israelis and Palestinians must work together in a viable negotiating process aimed at a just, lasting and comprehensive settlement based on the road map set out by the Quartet. We have reiterated several times in the past that the Quartet road map provides the only existing way forward for the attainment of the vision of two States, Israel and Palestine, living side by side within secure and recognized boundaries, based on Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003).

**The President**: I now give the floor to the representative of Malaysia.

**Mr. Rastam** (Malaysia): Regrettably, the Security Council has convened for the second time within the space of one month to consider the continued deterioration of the situation in the occupied Palestinian territories, including East Jerusalem, as a result of escalating violence and military attacks, as well as the blatant disregard of international law by Israel and its continued perpetration of extrajudicial executions, the latest being the brutal murder of Hamas leader, Mr. Abdel Aziz Al-Rantisi last Saturday. This latest Israeli action will only serve to inflame emotions on the ground, further worsen the situation and clearly jeopardize the prospects for peace in the Middle East.

As expected, Palestinians are vowing to take revenge. Israel continues with its arrogant attitude to carry out further attacks. When will the cycle end? Malaysia unequivocally condemns extrajudicial executions, which are clearly illegal and counterproductive to the peace efforts. We condemn the assassination of Mr. Al-Rantisi, as we did the assassination of Sheikh Ahmad Yassin.

Malaysia reiterates its grave concern over current developments and the continuing deteriorating situation in the occupied Palestinian territories. The Prime Minister of Malaysia, the Honourable Dato' Seri Abdullah Ahmad Badawi, has conveyed his concern in

letters which he has written to key world leaders, expressing alarm over the worsening situation in the occupied Palestinian territories, reaffirming his support for the efforts of the Quartet, including the United Nations, to achieve the objective of bringing into being a sovereign and independent Palestinian State and stating his firm belief that confidence-building plays a crucial part in the implementation of the road map. He has urged the leaders, as well as the Secretary-General, to ensure that Israel abides by the Middle East peace plan.

Malaysia believes that Israel's continued resort to acts of State terrorism is a clear violation of international law. Israel must be held responsible and accountable for the cycle of violence that has resulted in widespread suffering and loss of life. The international community must condemn such horrific acts in the strongest terms possible. It must not allow Israel to repeatedly act with impunity, in complete disregard of international law and public opinion.

Malaysia calls on the Security Council at this critical juncture to reiterate its demand for the complete cessation of all acts of violence, including all acts of terrorism, military attacks, provocation, incitement and destruction. Furthermore, the Council should reiterate its full endorsement of the road map and the vision of two States living side by side in peace and security and call on both parties to adhere to the provisions of the road map and to implement them.

**The President**: I call on the representative of the Libyan Arab Jamahiriya.

**Mr. Own** (Libyan Arab Jamahiriya) (*spoke in Arabic*): In grave defiance of the United Nations Charter, international law and custom, and all relevant conventions, agreements and international resolutions, the Zionists — under the direct leadership of the terrorist Sharon — are pursuing their criminal and heinous behaviour, compounding their bloody past of which all are well aware.

In the space of one month since the murder of Sheikh Ahmed Yassin, yet another crime has been committed. In killing Abdel Aziz Al-Rantisi and a number of his associates, Israel has ignobly committed an extrajudicial execution at a time when the victims were merely defending their legitimate right to a State, a nation and their holy places, expressed by their political stance within the framework of the Hamas movement. This was an abominable act carried out by the occupying Power, reasserting and consecrating the practices of State terrorism conducted by the Zionists and the terrorist Sharon, with the support of the current United States Administration.

In stressing the suffering so long endured by the defenceless Palestinian people at the hands of the shameless Zionist occupier, my delegation calls on the international community and the Security Council to condemn that barbaric, inhuman and criminal act. We urge the Council to act immediately to provide the necessary protection to the children of the defenceless Palestinian people, daily crushed by Israeli tanks and bulldozers and targeted by modern aircraft equipped with the most sophisticated American technology. The international community must fully support that people, assist it in recovering all its legitimate national rights, and put an end to the injustice, inequality and suffering. The international community has remained silent for over five decades in that regard.

The international community's ongoing disregard for the legitimate rights of the Palestinian people, stipulated in international agreements — including the road map, which calls for Israel's withdrawal from all the occupied territories and for the creation of a Palestinian State — will be a source of frustration and despair for Palestinians and only serve to fuel violence throughout the region. On the other hand, should support be given for the unilateral measures announced by the Israeli Government, aimed at definitively preserving the Israeli settlements in the West Bank pending the return of the Palestinian refugees, and should the separation wall continue to be built, it will signal a reversal of the relevant decisions adopted by the Security Council and the General Assembly. That will preclude a peaceful solution to the problem through the emergence of a Palestinian State. Indeed, it will pave the way for further acts of violence likely to overspill the borders of the Middle East.

If Israel is honest in its desire for peace, it must withdraw from the occupied Palestinian territories, restore the legitimate rights of the Palestinian people and allow them to build their independent State. The pursuit of its current policies and unilateral designs will not lead to peace — far from it. Violence and instability will prevail more than ever before. The international community in general, and the Security Council in particular, must therefore shoulder their full responsibility by pressuring Israel, the occupying Power, to cease such practices in the occupied

Palestinian territories, to implement the relevant international resolutions and to withdraw from the occupied territories. This must be done if security and stability are to become realities in that region, which has long and continuously suffered from instability.

**The President**: I give the floor to the representative of the Sudan.

**Mr. Manis** (Sudan) (*spoke in Arabic*): Our fate is to seek refuge yet again in the Council, the house and citadel of legitimacy, the pulpit of the international community where justice must be uniformly applied to all without discrimination or nepotism.

In this, we have been disappointed time and again. In the wake of every heinous crime, the Council has proven itself unable to take a resolute decision on the side of right, giving Israel a green light to implement ever more atrocious crimes, such as building its separation fence and attempting to murder Palestinian President Abu Amar or to send him into exile. Its State terrorism is most horrifically illustrated in the liquidation and extrajudicial killings of the symbols of Palestinian resistance. Peace-loving peoples throughout the world were still reeling from the assassination of Sheikh Ahmed Yassin when they learned of yet another war crime, this one even more flagrant: the murder of Abdel Aziz Al-Rantisi and his bodyguards.

The Sudan condemns the unprecedented organized State terrorism deployed by Israel. We recall that we remain under the umbrella of this Organization only because we uphold the principles of international and humanitarian law and the Charter and its guarantees, whose provisions ensure that the prestige of the Organization and its machinery are only as effective as the commitment of its members to implementing them on an equal footing. Where is that equality? A colonizing, usurping State, which has violated all laws, norms and conventions — especially the Fourth Geneva Convention — and has crossed the line is now before the Council. What does the Council do?

We have two choices: either we achieve consensus in the Council and put an end to these episodes of terrorism and extrajudicial killings, or we give Israel another green light to commit yet another crime that is even more heinous. People all over the world are waiting, looking to us. What is the Council doing besides talking about the road map, the Quartet and other machinery and plans for peaceful settlement? Let us stop the killing machine first. Talking about a peaceful settlement under these circumstances is comparable to looking for Never-Never Land.

**The President**: I now give the floor to the representative of Bahrain.

**Mr. Almansoor** (Bahrain) (*spoke in Arabic*): Allow me, Mr. President, to begin by congratulating you on presiding over the Council for this month. We are confident that you will be able to lead the work of the Council ably and successfully. We would like to thank you for convening this important meeting at this critical time. I would also like to use this opportunity to express my delegation's appreciation to the representative of France for successfully leading the Council in its work during the past month.

The Security Council has convened two emergency meetings in less than a month to discuss the series of assassinations perpetrated by Israel against the Palestinian people aimed at liquidating its leaders, undermining its security and destabilizing it. Israel's actions represent crimes against humanity that undermine the peace and security of the region and jeopardize its stability.

The convening of this emergency meeting comes as a response to a request by the Arab Group after Israel's assassination of the leader of the Islamic resistance movement Hamas, Mr. Abdel Aziz Al-Rantisi. We are here to discuss the crimes perpetrated daily by Israel, the occupying Power, so that the United Nations and the Security Council may shoulder their responsibilities under the provisions of the Charter for the maintenance of international peace and security. The United Nations is the representative of international legitimacy and is expected by Member States to undertake this role.

The Kingdom of Bahrain denounces and condemns Israeli extrajudicial killings. Such acts confirm once again Israel's failure to respect resolutions of international legitimacy and its defiance of the principles of international legitimacy, international norms and humanitarian standards. Such acts are examples of State terror in all its forms and a defiance of the international community's values.

The Kingdom of Bahrain has repeatedly expressed its grave concern and regret for the violence perpetrated by Israel in the occupied Palestinian

territories. The recent assassinations are intended first and foremost to assassinate any international effort to revive the peace process in Middle East. The Arab countries have time and again stressed their commitment to the process aimed at ending the Israeli occupation of Palestinian territories and establishing an independent Palestinian State, with Jerusalem as its capital.

The Kingdom of Bahrain appeals to the international community represented in the Security Council and the Quartet to shoulder their responsibilities and to put an end to the crimes perpetrated by Israel, the occupying Power. The Kingdom stands by the Palestinian people and their leaders in their legitimate struggle to recover their inalienable rights. The Kingdom also stresses the need for the international community to provide international protection to the Palestinian people and its leaders from the Israeli tyranny that will definitely kill any international effort for peace in the region. The fact that Israel continues to commit such crimes will lead the region to violence, counter-violence and instability. It will also kill any hope of achieving peace and security in the region and for its peoples.

**The President**: I now give the floor to the representative of Kuwait.

**Ms. Al-Mulla** (Kuwait) (*spoke in Arabic*): I want to thank you, Mr. President, for having responded so promptly to our request for convening this meeting.

I want to take up where I left off a few weeks ago, when I spoke before the Security Council following the assassination of Sheikh Ahmed Yassin. Israel's policy prompts us to wonder what are the results of the international community's fight against terrorism when Israeli State terrorism continues unabated before the very eyes of the whole world and no end is put to this fierce escalation. The Security Council is meeting today to examine yet another Israeli assassination, another extrajudicial execution of one of the emblematic figures of the Palestinian people, the head of Hamas, Mr. Abdel Aziz Al-Rantisi.

Kuwait once again condemns this assassination, this act of terrorism committed by the Israeli Government, and emphasizes that it condemns terrorism in all its forms and manifestations. This abominable crime is part of Israel's criminal practices that run counter to international law and the Fourth Geneva Convention of 1949. It is also an attempt to torpedo all efforts at peace in the Middle East.

We appeal to the Security Council to assume its responsibilities and to act expeditiously, soundly and strictly to put an end to Israel's arrogant policy of disregarding international conventions and treaties. We appeal to the Council to give immediate protection to the Palestinian people, a people who are, on a daily basis, the targets and victims of acts of terrorism. The fact that the Security Council was unable to adopt a clear position after Israel's assassination of Sheikh Yassin only encouraged Israel to continue its immoral policy. There is no doubt that the fact that Israel is continuing these practices, these actions of terror that are in fact war crimes, will thwart all efforts at peace in the Middle East. This can only exacerbate the cycle of violence, which in turn will have a negative impact on the entire region.

The international community must urge all parties to comply with Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), the principle of land for peace and the road map adopted by the Quartet. That is the only way of building peace, a peace that in turn will make it possible for the Palestinian people to enjoy their right to self-determination and to build an independent State on their territory with Jerusalem as their capital.

**The President**: I now give the floor to the representative of Saudi Arabia.

**Mr. Shobokshi** (Saudi Arabia): Mr. President, I would like to congratulate you on your assumption of the presidency of the Security Council for this month and wish you success in leading the work of the Council to its desired outcome. I would also like to express similar appreciation and thanks to your predecessor, the Ambassador of France, for his efforts in conducting the business of the Council during the past month.

Less than a month ago, the Security Council met to discuss the heinous crime committed by the Government of Israel when it assassinated Sheikh Ahmed Yassin and his comrades as they left the mosque in Gaza City. Because the Council did not condemn that terrorist act, Israel continued to kill, destroy and violate international law. It killed Mr. Abdel Aziz Al-Rantisi in an aerial attack against the car he was in. He fell victim to this unjustified,

pointless act, which also claimed the lives of three Palestinians who were with him.

How long will the Council remain powerless to condemn Israeli terrorism and to adopt a position reflecting the interests of justice and equality among peoples? Where is the justice in viewing extrajudicial killing as a right under the law of the jungle, while considering it terrorism and aggression when the victim rises up to defend himself and his right to liberate his own territory? How can we explain the passivity of the Security Council in the face of Israel's arrogance and defiance of all international laws, rules and conventions? We hear only meek voices here and there, whispering appeals and calling for the exercise of self-restraint. How long will Israel remain above the law? If the Council's negative and passive attitude can be relied on, it will do so until it has taken out the entire Palestinian leadership.

We condemn the policy of assassination, which will lead only to further escalation and violence in the occupied Palestinian territories and presage disastrous consequences. We call on the international community to provide international protection for the Palestinians in facing Israeli terrorism. We must move seriously and immediately in the Council to deter and pressure Israel to respect international law and to resume negotiations to implement the agreement between the two parties, in accordance with the road map.

**The President**: I call on the representative of South Africa.

**Ms. Qwabe** (South Africa): The South African Government has joined the international community in expressing its outrage at and condemnation of the assassination of Abdel Aziz Al-Rantisi, the leader of Hamas, in Gaza on Saturday, 17 April 2004. This extrajudicial execution, which stands in direct contravention of international law and relevant United Nations conventions, is only the latest in the series of provocations committed by the occupying Power against the Palestinian people. As such, it serves to further fuel the cycle of violence and counter-violence in the Middle East.

Less than a month ago, the Security Council convened to discuss the assassination of Sheikh Yassin, the spiritual leader of Hamas. We meet again today with peace more elusive than ever and call once again on the Security Council to intervene in the Middle East. Otherwise, the Security Council may be seen to be sending a disturbing message that it may tolerate extrajudicial killings and other violent actions that are in direct contravention of international law and relevant United Nations conventions.

Prime Minister Ariel Sharon's recently announced unilateral disengagement plan would also weaken any possibility of a negotiated settlement of the conflict because it would fundamentally compromise the inherent rights of the Palestinian people. The withdrawal from Gaza, welcome as it may be, cannot be linked to issues such as the right of Palestinian refugees to return home and the status of settlements in the West Bank.

The South African Government reiterates its condemnation of suicide bombings, extrajudicial executions, collective punishment and all other forms of violence in the Middle East. We do not believe that the vision of a two-State solution can be achieved through violence or that the aspirations of an occupied people to freedom can be suppressed through coercive measures and intimidation. We therefore call on the United Nations, members of the Quartet and the international community to ensure that Israel complies with international law and that it ceases all activities that are not conducive to creating a climate where negotiations for a lasting peace can occur.

**The President**: I call on the representative of Lebanon.

**Mr. Kronfol** (Lebanon) (*spoke in Arabic*): Allow me at the outset to congratulate you, Sir, on the assumption by your friendly country, the Federal Republic of Germany, of the presidency of the Security Council this month.

I thank your predecessor, the Permanent Representative of France, for his responsible and successful leadership of the Council last month.

I also thank the Security Council for speedily convening this meeting at the request of the Group of Arab States, to which my country has the honour to belong, to discuss the grave deterioration of the situation in the occupied Palestinian territories.

The extrajudicial murder by Israel two days ago of the Palestinian freedom fighter Abdel Aziz Al-Rantisi, killed with several companions in the Gaza Strip when his car was targeted by an airborne missile, was yet another in a series of assassinations by the Israeli occupation authorities of the leaders of the

Palestinian people, who have been demanding independence and freedom from occupation. Those assassinations, in addition to other Israeli practices — including the collective punishment of civilians, the demolition of homes, the shelling of heavily populated areas, detention and extradition, to name but a few — are war crimes ordered by the leaders of the Government of Israel in order to perpetuate their power and allow them to subjugate the entire Palestinian people.

This long and eloquent list of crimes represents terrorism — State terrorism perpetrated by the Israeli military machine. The resistance of the Palestinian people to such terror is normal, legitimate and the right of a nation that has long been enslaved and whose territories have long been occupied. The consideration by certain Israeli leaders of the ongoing pursuit of that criminal policy requires the Security Council to shoulder its cultural and ethical responsibilities. This is a serious step, since the Council is entrusted with the maintenance of international peace and security, and thereby with the task of ending occupation, colonialism and settler colonialism, protecting the welfare of peoples under occupation and enforcing respect for international law, in particular the Fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War.

As it kills Palestinians, Israel is creating conditions for a unilateral withdrawal from Gaza and demanding guarantees and even a reward for its withdrawal. Israel is simply pursuing yet another series of violations of international law and the resolutions of the Security Council. In that regard, its withdrawal from Gaza would be a pretext for killing more Palestinians there, besieging them, depriving them of their sovereignty over their waters and airspace, and stripping them of their natural right to friendly relations with neighbouring countries. Israel's so-called abandonment of its occupation of Gaza would thus give it a pretext to demolish Gaza homes, with their residents inside, to assassinate its people, to kill their leaders one after the other, and to obstruct any attempt at negotiation or to establish an autonomous leadership, authority or a Palestinian State there. What is strange is that some would accept such tricks by Israel, while they are entrusted with peace in the Middle East. It is normal that people who resist occupation would now do so more enthusiastically. The Israeli Government has simply asked for the impossible — withdrawal from Gaza — a situation that would literally kill the road map endorsed by the Security Council. Such actions would also hold hostage the work of the Quartet, if, indeed, it did not paralyse such work, and kill other peace efforts, probably preventing a return to the negotiating table.

The fact is that the Israeli Government is simply taking further steps towards trying to absolve itself of its responsibilities before the international community, in spite of its rejection of United Nations resolutions relevant to the occupied Palestinian territories and its ignoring of the Arab peace initiative. All this demonstrates that the Israeli Government has been mainly a Government of occupation and expansion at the expense of the Palestinian people.

The price for the so-called Israeli withdrawal from Gaza would simply mean preserving its right to interfere in Gaza at will and to usurp the rights of the Palestinian refugees to return to their homeland, including the Palestinian refugees in Lebanon. Such policies are also part of an attempt to legitimize the establishment of settlements, to completely usurp the city of Jerusalem. Such policies are also seen as an attempt to make the international community accept the establishment of the separation wall in the Palestinian territories, to accept the annexation of part of those territories and to accept Israel's failure to enter into negotiations for a final status.

The peoples and countries of the world are looking to the Security Council to see whether the Council will adopt the necessary measures to curb the acts of the State of Israel and whether the international community will protect itself from the reckless acts of criminals.

**The President**: I now give the floor to the representative of Tunisia.

**Mr. Hachani** (Tunisia) (*spoke in Arabic*): Allow me at the outset to convey to you, Sir, and to the other members of the Security Council my profound thanks for your speedy response to the request of the Arab Group to hold this urgent meeting to discuss the dangerous developments occurring in the occupied Palestinian territories.

I would like to extend my congratulations to you, Sir, upon your assumption of the presidency of the Security Council this month. I also thank your predecessor, the Ambassador of France, on his

successful presidency of the Council during the last month.

The Security Council is holding its meeting today in light of the very dangerous circumstances witnessed in the occupied Palestinian territories that are due to the policies practised by the Israeli Government towards the Palestinian people, and to its dependence upon methods that include extrajudicial assassinations which target the national and political symbols of the Palestinian people. Such methods are themselves serious threats to the security and stability of the region.

A few weeks ago, the terrible assassination of Sheikh Ahmed Yassin was clearly condemned by the international community. Since that time, the Israeli occupying forces have perpetrated another assassination which targeted, this time, Mr. Abdel Aziz Al-Rantisi, the leader of the Hamas movement in Gaza. Tunisia has expressed its denunciation and condemnation of the assassination by the Israeli occupying forces of Mr. Rantisi and expresses once again its belief that targeting Palestinian political leaders will lead to the escalation of the spiral of violence and strengthen feelings of hatred in the region. All such actions put an end to any opportunity for establishing a just, comprehensive and permanent peace in the Middle East and reduce the possibility of resuming negotiations.

Tunisia follows with great concern the serious developments in the situation in the occupied Palestinian territories because of the continuation by the occupying Power of its policies of assassination. It calls upon the international community to effectively and decisively provide protection for the Palestinian people and to find a political solution to the present situation in accordance with resolutions of international legitimacy.

Within that framework, we would like to emphasize our deep conviction that resuming peace negotiations is the only way to bring about a permanent and comprehensive peace in the Middle East, and we renew our invitation to address the importance of implementing the road map, which underlines and consecrates the vision of the two States living side by side.

**The President**: I now give the floor to the representative of Jordan.

**Mr. Hmoud** (Jordan) (*spoke in Arabic*): Allow me at the outset to congratulate you upon your assumption of the presidency of the Security Council for this month, and to express our confidence that you will guide the deliberations of the Council with the outstanding skill and wisdom you are known for. I would also like to thank your predecessor, His Excellency, the Ambassador of France, for the most able manner by which he presided over the Council during the last month.

The Security Council convenes again today to discuss yet another grave crime committed by Israel — regrettably, under the direct supervision of the highest authority in its Government — against Mr. Abdel Aziz Al-Rantisi in occupied Gaza two days ago.

I would like to express my Government's strongest condemnation of that assassination. That crime reminds us all, again, of the brutal nature of Israel's policy of organized assassinations and extrajudicial executions. That crime will only lead to the escalation of violence in the region and to further deterioration of the already dire situation in the occupied Palestinian territories, that is due to the irresponsible and illegal actions of Israel.

Furthermore, that crime represents a direct threat to the security and stability of the entire Middle East region.

We call upon Israel to desist completely from the escalatory and inflammatory policies and actions that it deliberately carries out, and call upon it to work in good faith towards restoring calm and stability in the occupied Palestinian territories. We call on the Council to immediately undertake its responsibilities and to provide the necessary protection to the Palestinian population under occupation in accordance with the Fourth Geneva Convention, and to force Israel to desist from the assassination policies which it declares it will continue.

My country views the current deterioration that has befallen the peace process with the utmost concern and calls upon all parties and the United Nations, through its various bodies and organs — including this Council — to work towards reviving the Middle East peace process on the basis of Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002), 1435 (2002) and 1515 (2003), and on the basis of the Arab peace initiatives and the road map and its vision of a final status solution based upon two States,

including an independent Palestinian State on the entirety of the West Bank, and including East Jerusalem and Gaza, that would live side by side, in peace, with Israel.

**The President**: I now give the floor to the representative of Japan.

**Mr. Haraguchi** (Japan): The killing of the Hamas leader in the Gaza Strip, Mr. Abdel Aziz Al-Rantisi, by the Israeli Forces was a thoughtless and unjustifiable act, giving no consideration to its consequences. It gravely impairs the realization of peace and is profoundly regrettable.

Japan is deeply apprehensive that this killing, which followed that of Sheikh Yassin, will not only lead to further fuelling of the chain of hatred and violence and make it more difficult to realize the peace between the Israelis and Palestinians, but will also affect the entire Middle East region negatively. We therefore condemn this act by Israel. We urge the Israeli Government to exercise maximum self-restraint in order to prevent further deterioration of the situation.

The efforts for peace by both the Israeli and Palestinian sides based on the road map are virtually suspended. Japan considers it very important that the Palestinian side make the maximum efforts in the crackdown on the extremists and produce a tangible result.

Also, we see it as equally important that the Israeli withdrawal of settlements in the Gaza Strip be implemented in line with the road map. We strongly hope the Government of Israel and the Palestinian Authority will immediately exercise their initiatives to resume dialogue.

**The President**: I now give the floor to the representative of Cuba.

**Mr. Requeijo Gual** (Cuba) (spoke in Spanish): The Security Council has been compelled to meet on an urgent basis to discuss a further extrajudicial execution committed by a Member State against citizens of the territory that it occupies unlawfully and in breach of a large number of resolutions of this very body.

Once again, the Cuban delegation strongly condemns the most recent selective assassination committed by Israel, the occupying Power, in which Abdel Aziz Al-Rantisi and others accompanying him in the Gaza Strip lost their life. The State terrorism exercised by Israel continues unchecked. This new extrajudicial execution is one more addition to Israel's extensive and still increasing record of aggression and violations of the most fundamental human rights and of physical and psychological damage to the Palestinian people. Those include illegal settlements, demolition of homes, arbitrary detentions, torture, the building of a separation wall on Palestinian lands and the suffocation of the Palestinian economy. Yasser Arafat, the legitimate President of the Palestinian Authority, remains confined and is still cited as one of the possible victims of future extrajudicial assassinations.

The crisis in the Palestinian territories has worsened as the number of dead and injured increases, the vast majority of them innocent civilians. Israel must respect international humanitarian law, including the Fourth Geneva Convention.

Cuba reaffirms its full support for the cause of the Arab peoples, in particular that of the Palestinian people, against Israeli occupation and aggression, and we have profound solidarity with their resistance and rebellion.

At the same time, Cuba expresses its condemnation of suicide bombings and other acts aimed at Israeli civilians, innocent victims of the spiral of violence caused by their Government's policies, while we oppose the manipulation of those isolated acts in order to question the exercise of self-defence by the Palestinian people and to justify both selective and large-scale actions directed at the Palestinian population.

Violence and the use of force cannot lead to a solution to a conflict that should have been resolved many years ago had the Security Council acted resolutely and without the dual standards that it applies to this issue. Virtually half of the times the United States has exercised its veto in the Security Council, on 40 occasions, it has done so in connection with the Middle East issue. Of those times, 28 have been directly linked to the situation in the Palestinian territories illegally occupied by Israel. That is not to mention the constant threats of the use of the veto, which have impeded the adoption of a number of draft resolutions that did not even come to a vote or were significantly watered down.

If it really desires to make progress towards a just solution to the Palestinian problem, the United States should immediately suspend financial support for the purposes of war and its military supplies to Israel, which include tanks, helicopters, missiles and aircraft that are used against civilians.

Those deliberate extrajudicial executions not only cost lives, but also destroy any hope of progress towards peace. The Cuban delegation repeats that a just and lasting peace in the Middle East cannot be achieved without an end to the Israeli occupation, and until the Palestinian people exercise their legitimate right to establish an independent State with its capital in East Jerusalem, and until all of the occupied Arab territories are returned and Israel withdraws from the Gaza Strip, the West Bank and the Syrian Golan to the border of 4 June 1967. That also requires an end to Israeli provocation in southern Lebanon and a guarantee of the return of the Palestinian refugees, while eliminating the unlawful Israeli settlements in all of the occupied territories.

**The President**: I now give the floor to the representative of Indonesia.

**Mr. Jenie** (Indonesia): My delegation is shocked at the assassination by Israel on Saturday of the new leader of the Islamic Resistance Movement, Hamas, leader, Mr. Abdel Aziz Al-Rantisi. Also falling prey to Israeli missiles were two of his bodyguards and several Palestinian citizens. We would like to express our condolences to the families of the bereaved and to the Palestinian people. This brutal assassination comes less than one month after Israel similarly murdered Sheikh Ahmed Yassin, who was Mr. Al-Rantisi's predecessor and the organization's spiritual leader and founder, which was roundly condemned by Indonesia at that time. Unfortunately, history has been repeated.

Indonesia unreservedly condemns this reckless and total disregard for international law, for human life and for the views and sensitivities of the international community. As we have said in the past, apart from the illegality of Israel's targeted assassinations, the policy can promote only violence and insecurity, not peace. What is worse is that this assassination confirms Israel's loss of interest in and commitment to the peace process.

Indonesia once again calls on Israel to return its faith to negotiations with the Palestinians, not in guns and bullets, or in artificial walls of separation and security. It is of the utmost importance immediately to halt the brutal extrajudicial assassinations of Palestinians, which can only inspire revenge violence.

Finally, we call on the international community to put the necessary pressure on Israel to return to the negotiating table and to prevent Israel from repeating this pattern of extrajudicial executions. It is only in the faithful implementation of the road map that a just and comprehensive settlement of the crisis can ever be realized.

**The President**: I now give the floor to the representative of Iran.

**Mr. Danesh-Yadzi** (Islamic Republic of Iran): Let me begin by congratulating you, Sir, on assuming the presidency of the Council this month and thanking you for having convened this public meeting on the grave situation in the occupied Palestinian territory. I should not fail to express my appreciation to the Ambassador of France for his able and effective conduct of the work of the Security Council in the month of March.

Once more, another atrocious crime by the Israeli regime has prompted the Security Council to hold another emergency public meeting. The extrajudicial killing of Mr. Abdel Aziz Al-Rantisi is along the line of the nefarious attempts and ongoing State acts of terrorism by Israel to hold onto the territory under its occupation and to keep a people under its brutal control for many decades — a people who have, in turn, no option other than to continue their rightful resistance.

In this context, I need to stress that the situation that Israel is mired in stems from the occupation and its unlawful policies and practices. Therefore Israel's attempt to attribute the problems it has created itself to other countries in the region is a futile and irresponsible exercise.

By committing the latest assassination, Israel registered in its record yet another case of serious violation of the Fourth Geneva Convention, which amounts to another war crime. The continued criminal acts, coupled with the recent announcement of its annexation of part of the occupied territory, which amounts to killing the road map, are indicative of the fact that the Israeli regime has always sought to preclude any just and viable peace in the region that would presume the restoration of the basic rights of the Palestinians. The Israelis are fully aware that each

crime they commit will be the onset of a new cycle of violence of the kind they repeated and indeed intentionally provoked in the course of the past several years.

At a time when the international community needs to pull together with a view to effectively combating global terrorism, the Israeli occupation and the criminal acts to sustain it, including extrajudicial killings, undermine the rule of law and cooperation among nations, which are the sine qua non in fighting terrorism. There is no doubt that what Israel did and has avowed to keep doing was a bonanza for the terrorists like those who perpetrated the act of terrorism in Madrid last month — acts that enable global terrorism to unfortunately grow further. Extrajudicial killings and targeted assassinations, coupled with other Israeli war crimes and acts of State terrorism such as the construction of the expansionist wall, the announcement of land annexation, the wanton destruction of homes, infrastructure and agricultural lands, the detention and imprisonment of thousands of Palestinians and the imposition of collective punishment on the entire Palestinian population will have the sole result of rendering the situation in the region more tense and explosive.

The assassination of Sheikh Ahmed Yassin and Mr. Abdel Aziz Al-Rantisi are two consecutive flagrant crimes that have created more instability and could plunge the region into another round of violence. They are deliberate acts aimed at defeating any attempt to bring peace to the region.

While strongly condemning this latest criminal Israeli act, we believe there is an absolute need for the international community to heavily weigh in and prevent Israel from carrying out its nefarious designs against Palestinians that will further jeopardize peace and security in the whole region. This Council especially shoulders the heaviest responsibility and should act with a view to preventing Israel from continuing to flout the will of the international community, incorporated in numerous United Nations resolutions.

It is very sad that this Council has yet to reach an agreement on the way to prevent Israel from committing numerous crimes. It is all the more unfortunate that only one delegation keeps preventing the Council from pronouncing itself on such an important issue that relates to international peace and security in one of the most important and sensitive regions. We hope that all members of the Council recognize the need to take decisive action in the face of the new tension in the region and do not choose to allow further paralysis of the Council and erosion of its authority as a result of failing to address the grave situation created in the wake of the recent extrajudicial killings by Israel.

**The President**: I now give the floor to the representative of Mauritania.

**Mr. Ould Deddach** (Mauritania) (*spoke in Arabic*): Allow me at the outset, Sir, to extend my thanks for your quick response to the call to hold a public meeting of the Security Council to consider the very serious developments in the occupied Palestinian territories.

The inalienable rights of the Palestinian people, prominent among which is their legitimate right to establish their independent State on their national territory, with Al-Quds as its capital, cannot be negotiated or given up. Any agreement considering the future of the Palestinian people and its independence must be made through negotiations by the elected legitimate leadership of the Palestinian people under the leadership of President Yasser Arafat.

We demand an end to the occupation and the unconditional and immediate withdrawal of the Israeli forces from the occupied Palestinian territories and all Arab territories and a return to the borders of 4 June 1967 and the attaining of a just settlement of the problem of the Palestinian refugees, to be agreed upon on the basis of General Assembly resolution 194 (III).

We call upon the Security Council to take all necessary action in order to put an end to the violence, in order not to destroy the peace process, the principle of land for peace, the Madrid agreement and the road map, which was adopted by this Council.

In the Islamic Republic of Mauritania, as we express our absolute solidarity with the brotherly people of Palestine, we call upon the Security Council and the members of the Quartet to take up their full responsibilities in this deteriorating situation to preserve the inalienable rights of the Palestinian people and not to permit the peace process to be destroyed, and to ensure that the relevant resolutions of international legitimacy are maintained.

The Council should impose the articles of the Fourth Geneva Convention of 1949 and apply those principles strictly and vigorously.

We strongly condemn the extrajudicial assassinations that have been executed against the Palestinian leadership, which are represented by these recent crimes of terrorism — horrendous crimes perpetrated by Israel, the murders of Sheikh Ahmed Yassin and Mr. Abdel Aziz Al-Rantisi.

We condemn any attempt to legislate and legitimize the settlements and to reject the right of return of the Palestinian refugees. Such attempts result from the fact that the relevant resolutions of the Council have not been implemented. In addition, dangerous situations have now resulted in the occupied Palestinian territories, which makes it even more necessary for the Council to face up to its responsibilities and act in accordance with the United Nations Charter.

**The President**: I call now on the representative of Norway.

**Mr. Løvald** (Norway): Norway aligns itself with the statement made by the presidency of the European Union. In addition, we would like to emphasize the following elements.

Consistent with our principled position on extrajudicial killings, Norway condemns the assassination of Hamas leader Abdel Aziz Al-Rantisi. We do recognize Israel's right to defend herself against terror. However, that does not justify actions such as that carried out by the Israeli Defense Forces in Gaza last Saturday. Not only is the use of extrajudicial killings contrary to international law, it is also counterproductive in that it only contributes to further raising the level of violence in the Middle East. The vicious circle of violence and counter-violence must be broken. We call on all parties to refrain from further acts of aggression. We urgently appeal to the parties to return to the road map for peace. Only a negotiated solution can be a valid basis for peace.

Norway would welcome a withdrawal of all settlers and the Israeli Defence Force from the Gaza Strip. If implemented in an appropriate manner consistent with the road map, the withdrawal plan announced by Prime Minister Sharon can be an important step forward.

Final status issues can be resolved only through negotiations between the parties concerned. Their outcome can in no manner be prejudged by unilateral steps, nor do unilateral measures multiply Israel's responsibilities deriving from Security Council resolutions 242 (1967), 338 (1973) and other relevant Council resolutions. Provided certain conditions are met, however, a withdrawal from Gaza and other settlements, as announced by Prime Minister Sharon, will be supported by the international community. If the result is that the implementation of the road map is given new impetus, that will inspire international donors to make further contributions aimed at alleviating the plight of the Palestinians and promoting the reform of the Palestinian Authority.

It will be vital to ensure that the Palestinian Authority is fully capable of taking on the responsibility of governing the territories from which Israel withdraws. The international community must do its share to make sure that the necessary capabilities are created. However, Israel must also contribute to ensuring a smooth transition, including through the necessary coordination with the Palestinian Authority.

Only a negotiated, two-State solution based on relevant Security Council resolutions can ensure lasting peace and stability in the Middle East.

**The President**: There are no further speakers on my list.

Before adjourning the meeting I would like to thank all the speakers for their kind cooperation, enabling the Security Council to carry out its work expeditiously. Most speakers remained within the three-minute limit, and I am very grateful for that.

The Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 6.35 p.m.*

United Nations S/PV.4946

# Security Council

Fifty-ninth year

*Provisional*

**4946**th meeting

Wednesday, 21 April 2004, 12.05 p.m.

New York

| | | |
|---|---|---|
| *President:* | Mr. Pleuger | (Germany) |
| *Members:* | Algeria | Mr. Baali |
| | Angola | Mr. Lucas |
| | Benin | Mr. Adechi |
| | Brazil | Mr. Sardenberg |
| | Chile | Mr. Muñoz |
| | China | Mr. Wang Guangya |
| | France | Mr. De La Sablière |
| | Pakistan | Mr. Akram |
| | Philippines | Mr. Baja |
| | Romania | Mr. Motoc |
| | Russian Federation | Mr. Gatilov |
| | Spain | Mr. Arias |
| | United Kingdom of Great Britain and Northern Ireland | Mr. McGurk |
| | United States of America | Mr. Cunningham |

## Agenda

The situation between Iraq and Kuwait

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-31684 (E)

*The meeting was called to order at 12.05 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation between Iraq and Kuwait**

**The President**: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/311, which contains the text of a draft resolution submitted by France, Germany, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

*A vote was taken by show of hands.*

*In favour*:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

**The President**: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1538 (2004).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 12.10 p.m.*

United Nations S/PV.4947

# Security Council

Fifty-ninth year

*Provisional*

**4947**th meeting

Wednesday, 21 April 2004, 6.45 p.m.

New York

| | | |
|---|---|---|
| *President*: | Mr. Pleuger | (Germany) |
| *Members*: | Algeria | Mr. Baali |
| | Angola | Mr. Lucas |
| | Benin | Mr. Adechi |
| | Brazil | Mr. Valle |
| | Chile | Mr. Muñoz |
| | China | Mr. Wang Guangya |
| | France | Mr. De La Sablière |
| | Pakistan | Mr. Akram |
| | Philippines | Mr. Baja |
| | Romania | Mr. Motoc |
| | Russian Federation | Mr. Gatilov |
| | Spain | Ms. Menéndez |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Thomson |
| | United States of America | Mr. Cunningham |

## Agenda

The situation in Cyprus

Report of the Secretary-General on Cyprus (S/2004/302)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-31693 (E)

*The meeting was called to order at 6.50 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation in Cyprus**

**Report of the Secretary-General on Cyprus (S/2004/302)**

**The President**: The Security Council will now continue its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on Cyprus, document S/2004/302. Members of the Council also have before them document S/2004/313, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

**Mr. Gatilov** (Russian Federation) (*spoke in Russian*): The Russian Federation has consistently supported the Secretary-General's good offices mission and his efforts aimed at a just settlement of the Cyprus problem on the basis of Security Council resolutions and the express will of both Cypriot communities. We base ourselves on the need of the international community — and particularly the Council — to assist in reaching arrangements between the Cypriot parties themselves, but in no way to impose any decisions on them.

We firmly believe that the referendums planned for 24 April in both parts of Cyprus must take place freely, without any external interference or pressure. We must await their results, after which the Security Council will be in a position to take a considered decision, including with respect to deploying a new United Nations peacekeeping operation on the island, taking fully into account the situation that will obtain on the island following the referendums — including with respect to the concerns of the Cypriot sides with regard to security safeguards — within the framework of a comprehensive Cyprus settlement.

The Russian delegation expresses deep regret at how the work was structured on the draft resolution that will be put to the vote in the Council today. This involves the formulation of a serious decision on the parameters of a new United Nations peacekeeping operation in Cyprus and the imposition of an arms embargo. Such a technically and legally complex decision calls for the most thorough and careful analysis. However, the sponsors of the draft resolution, having ignored the views of other Council members and having essentially forgone discussion, have submitted the draft resolution for a vote.

We draw the Council's attention to the fact that views opposed to such precipitous adoption of a draft resolution on the eve of the referendums were expressed by the parties directly interested in the settlement as well as by the majority of Council members. Under those circumstances, the Russian side has no other choice but to exercise a veto on technical grounds, in order to ensure conditions in the future for normal, mutually respectful work to agree upon Security Council decisions that are acceptable to all parties.

The Russian delegation is prepared in future to take part most constructively in formulating a draft resolution on this issue in the Security Council. We base our position on the understanding that such work will be continued after the referendums in both parts of Cyprus and that it will duly take the results into account and provide for universally acceptable ways to remove concerns on the part of the Cypriot parties.

**The President**: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

*A vote was taken by show of hands.*

*In favour*:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

*Against*:

Russian Federation

**The President**: The draft resolution received 14 votes in favour, one against and no abstentions. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now give the floor to those members of the Council who wish to make statements following the voting.

**Mr. Thomson** (United Kingdom): The United Kingdom is naturally disappointed that the Council was not able to reach consensus on our draft resolution. I nevertheless thank Council members for their efforts over the past three days to try to achieve a consensus decision.

No one is opposing the general substance of this draft resolution. One member of the Council has voted against it for technical reasons of procedure and timing. Our purpose in this draft resolution is to support the efforts of the Secretary-General and his team and to support the Secretary-General's plan for a comprehensive settlement on the island of Cyprus.

The fact that the overwhelming majority of the Council has voted in favour sends a strong message of support for the Secretary-General's efforts and for the Secretary-General's plan, which offers the Cypriot people a historic opportunity to find a peaceful solution to the conflict in Cyprus. We very much hope that they will seize it. This vote also offers the people of Cyprus reassurance that the Council will act on the obligations foreseen for it in the comprehensive settlement, including the establishment of a strengthened United Nations peacekeeping operation and the imposition of an arms embargo. There should be no doubt, therefore, that the Council stands ready to fulfil its commitments.

Our draft resolution remains on the table, and we will ask for the Council to take speedy action after the referendums.

**Mr. Cunningham** (United States of America): We, too, are disappointed that one member of the Security Council was not prepared to support the Secretary-General's request to adopt this draft resolution before the referendums in order to provide assurances to Greek Cypriots that the security structures provided for in the settlement would be in place before they vote on 24 April.

I note that the vote demonstrates that the opposition to the draft was isolated and that it is clear that the other members of the Security Council took a very different view, in support of the Secretary-General. Nonetheless, it is very clear to us that, if the settlement is approved by all Cypriots in the referendums on Saturday, there would be very rapid action in the Security Council to establish the United Nations Settlement Implementation Mission in Cyprus and an arms embargo.

We want to note also that this draft resolution, which was supported by an overwhelming majority of the members of the Security Council, would have provided for the establishment of the United Nations Settlement Implementation Mission in Cyprus as well as the arms embargo. That demonstrates the obvious and strong support of the international community for implementing all aspects of the United Nations settlement, which provides for the return of more than 120,000 Greek Cypriot refugees to their former homes, a comprehensive property compensation and restitution system and the withdrawal of almost all Turkish troops from the island.

**Mr. Adechi** (Benin) (*spoke in French*): Benin voted in favour of the draft resolution in order to assure the Cypriot parties that the United Nations is prepared fully to assume its due responsibilities under the settlement plan, should the parties adopt it. My delegation is prepared to participate in negotiations with a view to the establishment in due course of a United Nations operation in support of the relevant provisions of the settlement plan.

Our vote was also intended to indicate our support for the tireless efforts of the Secretary-General to find a solution to a problem that is of concern to the international community. We believe, however, that the decision to be taken on the entry into force of the settlement plan — and thus on the reunification of the island — belongs solely to the Cypriot community. We hope that it will affirm its views in full independence and make the choice it feels to be the right one.

**Mr. De La Sablière** (France) (*spoke in French*): France deeply regrets the Security Council's inability to adopt the draft resolution on Cyprus that was put to the vote this evening. We regret that the draft resolution was put to the vote in such conditions. We should have preferred to continue consultations in order to agree tonight on a briefer text acceptable to all. Indeed, we should have wished the Council to take more time so that it might yet again express itself robustly and unanimously, as it did several days ago.

We fear that the signal could be misinterpreted. However, the Council is unanimous with regard to substance. My delegation therefore believes that if the settlement plan is adopted during the referendums on Saturday, the Council should immediately take the necessary measures for its adoption. My country supports the Secretary-General in that regard.

In conclusion, I would recall that France, like the other countries of the European Union, has indicated its preference that the island be unified when it accedes to Union membership on 1 May.

**Mr. Wang** Guangya (China) (*spoke in Chinese*): China has always believed that the independence, sovereignty and territorial integrity of Cyprus deserves full respect and we support an appropriate negotiated settlement of the differences between the two communities. We appreciate the untiring efforts of Secretary-General Kofi Annan and his Special Adviser to that end.

On 24 April, the Greek and Turkish Cypriots will hold referendums on the final settlement plan proposed by the Secretary-General. We believe that the Cypriot communities will make the right choice. We hope to see an early, just and lasting solution to the question of Cyprus.

On that basis, the Chinese delegation voted in favour of the draft resolution. It should be noted, however, that we had hoped that the Council would carry out further consultations and consider fully the views of all parties with a view to achieving consensus. None of us wished to see the current state of affairs.

**Mr. Lucas** (Angola): The people of Cyprus and its constituent communities will, on 24 April, experience a moment of challenge and faith. They are called to decide on the foundation of a new State, the end of a decades-long conflict, the establishment of new relations between the two communities and the international position of their country. Indeed, the stakes are high for the people of Cyprus.

The Security Council was called on today to take important decisions that would have an impact on Cyprus after the referendums to be held on 24 April. It is my delegation's view that the Security Council should respond to the Secretary-General's request and adopt the measures contained in the draft resolution submitted to us. We share the expectation of the Secretary-General that the draft resolution could have a positive impact in the country and that it would contribute to increasing the confidence of the people of Cyprus and of the political leaders in the process in which they are engaged. We also share the view of the Secretary-General that an expression of support by the United Nations for the security provisions of the draft resolution would be a very important psychological boost in the present context of challenge and uncertainty.

Therefore, my delegation voted in favour of the draft resolution fundamentally as an expression of support for the efforts of the Secretary-General and for the people of Cyprus in this decisive hour of its history.

**Mr. Baali** (Algeria) (*spoke in French*): My delegation voted in favour of the draft resolution, but we deeply regret that the Security Council was unable to preserve the unity that it has always shown on the question of Cyprus. This lack of unanimity is particularly regrettable because it is being demonstrated at such a crucial moment for the future of Cyprus, which today is truly at a crossroads, and when the Council ought to have shown unfailing unity. My delegation had hoped that the Security Council would give itself more time to find an honourable compromise and middle ground. We are convinced that such compromise and middle ground were within our reach.

Our vote in favour of the draft resolution reflects our desire to support the Secretary-General's efforts and to show him our gratitude for what he has been able to achieve in particularly difficult circumstances. We voted in favour because the text reflects the will of the international community and the Security Council to accompany and support the political process in Cyprus and to stand by its people. We sincerely hope that the Security Council's message will be clearly understood by all.

**Mr. Motoc** (Romania): My delegation voted confidently in favour of the draft resolution in the belief that, without interfering in any way with the sovereign decision of Greek Cypriots and Turkish Cypriots, we should do our best to support the complex efforts that have been made for so many years under the auspices of this Council to achieve a just settlement of the Cyprus issue, allowing a reunited island to join the European Union when it embarks on a historic enlargement of which Romania, too, is a part.

We appreciate the huge good-faith contribution of the parties and the Secretary-General's team to get the

process to this point. Now, the Cypriot people will have to make their decision on the plan. Romania, for its part, will continue to spare no effort in fostering the aims that stand as the basis of this most difficult, but generous political undertaking on Cyprus, which we believe are shared by all members of the Council.

**Mr. Valle** (Brazil): My delegation voted in favour of the draft resolution, first, because we are in general agreement with the provisions contained therein and, secondly, because our positive vote should be interpreted as a demonstration of support for the Secretary-General's efforts towards a solution to the question of Cyprus. However, we still have doubts with relation to the timing of the initiative and would have appreciated the allotment of more time for consultations.

**Mr. Muñoz** (Chile) (*spoke in Spanish*): We regret the result of this evening's vote. We had hoped for unanimity within the Security Council on so important and complex an issue. The Secretary-General's favourable opinion was a relevant factor in our decision to vote in favour of the draft resolution contained in document S/2004/313. We hope that the parties in Cyprus understand that once the people of Cyprus have, freely and in exercise of their sovereignty, expressed their opinion in next Saturday's referendums the Security Council will make its proper contribution towards full implementation of the relevant aspects of the agreement on a comprehensive settlement of the Cyprus problem, especially because there appear to be no differences among members on substantive issues and because the obstacles seem to have been technical in nature.

We wish the Greek Cypriots and the Turkish Cypriots all the best as they take this important and historic decision.

**Ms. Menéndez** (Spain) (*spoke in Spanish*): Spain voted in favour of the draft resolution contained in document S/2004/313 because we fully agree with its contents. Moreover, as other speakers have said, that is true of the entire Council. The draft resolution was not adopted, but we hope it will be adopted next week in conformity with appendix E of the Secretary-General's plan. That would mean that the 24 April referendums on the island will have had a positive outcome. Spain wants a reunified Cyprus to join the European Union on 1 May. Finally, I reaffirm my delegation's support for the efforts made by the Secretary-General.

**Mr. Akram** (Pakistan): We supported the draft resolution (S/2004/313) presented by the United Kingdom and the United States on the situation in Cyprus since it expresses support for the Secretary-General's plan for a comprehensive settlement in Cyprus. We regret that the Security Council was not able to adopt a unanimous position on the draft resolution. Perhaps if there had been more time and more consultations a consensus result would have been possible. We hope nevertheless that the Greek Cypriots and the Turkish Cypriots will read the right message from the international community and take the historic decision which they are called upon to take next Saturday in their own best interests and in the interests of their country and their region.

**The President**: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 7.15 p.m.*